



# **STIC Search Report**

**EIC 2800**

**STIC Database Tracking Number: 117251**

**TO: Jasmine Clark**  
**Location: JEF- 6D39**  
**Art Unit : 2815**  
**Thursday, March 18, 2004**

**Case Serial Number: 09/514633**

**From: Darcy Bates**  
**Location: EIC 2800**  
**JEF- 4B68**  
**Phone: 571-272-2540**

**darcy.bates@uspto.gov**

## **Search Notes**

**Re: 09/514,633 US 5,514,907**

**Attached are search results.**









**Litigation was found. Docket information and citations are attached.**

**If more searching or explanation is needed, please let me know.**

**Thanks,**  
**Darcy Bates**

**Litigation involving patent RE36,916**

Click on the docket number to view the docket.  
Click on the above patent number to view the patent.

|  Docket  |  Case Heading  |  Date Filed  |  Date Retrvd  |
|--|--|--|---|
| <u>8:03cv1188</u>  | Simpletech Inc v. Staktek Corp   | 7/29/2003  | 3/16/2004   |
| <u>8:01cv231</u>   | Simple Technology v. Dense-Pac Microsys  | 2/21/2001  | 9/24/2002   |

**Litigation involving patent 5,514,907**

Click on the docket number to view the docket.  
Click on the above patent number to view the patent.

|  Docket  |  Case Heading  |  Date Filed  |  Date Retrvd  |
|--|--|--|---|
| <u>8:98cv822</u>   | Simpletech Inc v. Dpac Technologies  | 9/23/1998  | 11/12/2003  |

Source: [Legal](#) > [Area of Law - By Topic](#) > [Patent Law](#) > [Patents](#) > [U.S. Patents](#) > [Utility Patents](#)



Terms: **patno=5514907** ([Edit Search](#))

*408552 (08) 5514907 May 7, 1996*

UNITED STATES PATENT AND TRADEMARK OFFICE GRANTED PATENT

**5514907**

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[Link to Claims Section](#)

May 7, 1996

Apparatus for stacking semiconductor chips

**REEXAM-LITIGATE:**

NOTICE OF LITIGATION

NOTICE OF LITIGATION Simple Technology, Inc. v. Dense-Pac Microsystems, Inc., Filed Sep. 23, 1998, D.C. C.D. California, Doc. No. SACV98- 822AHS(EEX)

**REISSUE:** This Patent was reissued on Oct. 17, 2000 as Reissue Patent Re 36,916. Reissue Application filed Feb. 28, 2000 (O.G. Apr. 18, 2000) Ex. Gp.: 2811; Re. S.N. 09/514,633 Reissue Application filed Apr. 22, 1998 (O.G. Jun. 2, 1998) Ex. Gp.: 2811; Re. S.N. 09/064,348, (O.G. April 18, 2000)

**INVENTOR:** Moshayedi, Mark - Orange, California, United States (US)

**APPL-NO:** 408552 (08)

**FILED-DATE:** March 21, 1995

**GRANTED-DATE:** May 7, 1996

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[Sources](#) | [Guided Search Forms](#) | [Command Searching](#)[Legal](#) > [Area of Law - By Topic](#) > [Patent Law](#) > [Patents](#) > [U.S. Patents](#) > [Utility Patents](#)**Enter Search Terms**☒ **Terms and Connectors** ☐ Natural Language

patno=5514907

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Terms: **36916** ([Edit Search](#))

*064348 (09) RE 36916 October 17, 2000*

UNITED STATES PATENT AND TRADEMARK OFFICE GRANTED PATENT

RE **36916**

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[Link to Claims Section](#)

October 17, 2000

Apparatus for stacking semiconductor chips

**REEXAM-LITIGATE:**

NOTICE OF LITIGATION

NOTICE OF LITIGATION Simple Technology, Inc. v. Dense-Pac Microsystems, Inc., Filed Feb. 21, 2001, D.C. C.D. California, Doc. No. SACV01-231 AHS (ANx)

NOTICE OF LITIGATION

Simpletech, Inc., a California corporation v. Statek, Corp., a Texas corporation, Filed July 29, 2003, D.C. C.D. California, Doc. No. SACV 03-1188 AHS (ANx)

**INVENTOR:** Moshayedi, Mark - Orange, California, United States (US)

**APPL-NO:** 064348 (09)

**FILED-DATE:** April 22, 1998

**GRANTED-DATE:** October 17, 2000

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36916


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By updating the case, we will be able to determine if documents are available.

### US District Court Civil Docket

US District Court for the Central District of California  
(Southern Division)

8:03cv1188

Simpletech Inc v. Staktek Corp

This case was retrieved from the court on Thursday, March 18, 2004

|  |                                  |
|--|----------------------------------|
| Date Filed: 07/29/2003                             | Class Code: (MLGx),<br>AO279     |
| Assigned To: Judge Alicemarie H Stotler            | Closed: No                       |
| Referred To: Discovery Marc L Goldman              | Statute: <a href="#">35:0271</a> |
| Nature of suit: Patent (830)                       | Jury Demand: Both                |
| Cause: Patent Infringement                         | Demand                           |
| Lead Docket: None                                  | Amount: \$0                      |
| Other Docket: Cent Dist of CA, SACV98-822AHS(EEEx) |                                  |
| Jurisdiction: Federal Question                     |                                  |

#### Litigants

Simpletech Inc, A California Corporation  
PLAINTIFF

#### Attorneys

Curtis Richard Huffmire  
[\[COR LD NTC\]](#)  
[Knobbe Martens Olson & Bear](#)  
2040 Main St, 14TH FL  
Irvine, CA 92614  
USA  
949-760-0404

Joseph S Cianfrani  
[\[COR LD NTC\]](#)  
[Knobbe Martens Olson & Bear](#)  
2040 Main St, 14TH FL  
Irvine, CA 92614  
USA  
949-760-0404

[Joseph F Jennings](#)



[COR LD NTC]  
Knobbe Martens Olson & Bear  
2040 Main St, 14TH FL  
Irvine , CA 92614  
USA  
949-760-0404

v.

Staktek Corp, A Texas Corporation  
DEFENDANT  
[Term: 01/20/2004]

Benjamin A Nix  
[COR LD NTC]  
Payne & Fears  
4 Park Plz, Ste 1100  
Irvine , CA 92614  
USA  
949-851-1100

C Darryl Cordero  
[COR LD NTC]  
Payne & Fears  
4 Park Plz, Ste 1100  
Irvine , CA 92614  
USA  
949-851-1100

J Scott Denko  
[COR LD NTC]  
Andrews & Kurth  
111 Congress Ave, Ste 1700  
Austin , TX 78701  
USA  
512-320-9200

Lester J Savit  
[COR LD NTC]  
Jones Day  
3 Park Plz, Ste 1100  
Irvine , CA 92614-6232  
USA  
949-851-3939  
Fax : 949-553-7539

Michael W De Vries  
[COR LD NTC]  
Jones Day  
3 Park Plz, Ste 1100  
Irvine , CA 92614-6232  
USA  
949-851-3939  
Fax : 949-553-7539

Staktek Group LP  
DEFENDANT

C Darryl Cordero  
[COR LD NTC]  
Payne & Fears  
633 W 5TH St, Ste 2240  
Los Angeles , CA 90071  
USA  
213-439-9911

J Scott Denko

[COR LD NTC]  
Andrews & Kurth  
111 Congress Ave, Ste 1700  
Austin , TX 78701  
USA  
512-320-9200

Lester J Savit  
[COR LD NTC]  
Jones Day  
3 Park Plz, Ste 1100  
Irvine , CA 92614-6232  
USA  
949-851-3939  
Fax : 949-553-7539

Staktek Corp Counter  
CLAIMANT  
[Term: 01/20/2004]

Benjamin A Nix  
[COR LD NTC]  
Payne & Fears  
4 Park Plz, Ste 1100  
Irvine , CA 92614  
USA  
949-851-1100

C Darryl Cordero  
[COR LD NTC]  
Payne & Fears  
4 Park Plz, Ste 1100  
Irvine , CA 92614  
USA  
949-851-1100

J Scott Denko  
[COR LD NTC]  
Andrews & Kurth  
111 Congress Ave, Ste 1700  
Austin , TX 78701  
USA  
512-320-9200

Simpletech Inc Counter  
DEFENDANT

Curtis Richard Huffmire  
[COR LD NTC]  
Knobbe Martens Olson & Bear  
2040 Main St, 14TH FL  
Irvine , CA 92614  
USA  
949-760-0404

Joseph S Cianfrani  
[COR LD NTC]  
Knobbe Martens Olson & Bear  
2040 Main St, 14TH FL  
Irvine , CA 92614  
USA  
949-760-0404

Joseph F Jennings  
[COR LD NTC]  
Knobbe Martens Olson & Bear

2040 Main St, 14TH FL  
Irvine , CA 92614  
USA  
949-760-0404

Staktek Corp Counter  
CLAIMANT  
[Term: 01/20/2004]

Benjamin A Nix  
[COR LD NTC]  
Payne & Fears  
4 Park Plz, Ste 1100  
Irvine , CA 92614  
USA  
949-851-1100

C Darryl Cordero  
[COR LD NTC]  
Payne & Fears  
4 Park Plz, Ste 1100  
Irvine , CA 92614  
USA  
949-851-1100

J Scott Denko  
[COR LD NTC]  
Andrews & Kurth  
111 Congress Ave, Ste 1700  
Austin , TX 78701  
USA  
512-320-9200

Simpletech Inc Counter  
DEFENDANT

Curtis Richard Huffmire  
[COR LD NTC]  
Knobbe Martens Olson & Bear  
2040 Main St, 14TH FL  
Irvine , CA 92614  
USA  
949-760-0404

Joseph S Cianfrani  
[COR LD NTC]  
Knobbe Martens Olson & Bear  
2040 Main St, 14TH FL  
Irvine , CA 92614  
USA  
949-760-0404

Joseph F Jennings  
[COR LD NTC]  
Knobbe Martens Olson & Bear  
2040 Main St, 14TH FL  
Irvine , CA 92614  
USA  
949-760-0404

| Date       | #        | Proceeding Text  |
|------------|----------|--|
| 07/29/2003 | <u>1</u> | COMPLAINT filed Summons(es) issued referred to Discovery Arthur Nakazato (csb) (Entered: 08/01/2003) |
| 07/29/2003 | <u>2</u> | Certification OF INTERESTED PARTIES filed by plaintiff Simpletech Inc                                |

(csb) (Entered: 08/01/2003)

07/29/2003 3 NOTICE by plaintiff Simpletech Inc of related case(s) SACV 98-822AHS (EEEx) (csb) (Entered: 08/01/2003)

07/29/2003 -- REPORT ON THE FILING OF AN ACTION REGARDING Patent (cc: form mailed to Washington, D.C.)(Opening) (csb) (Entered: 08/01/2003)

08/05/2003 -- PREPARED ORDER RE TRANSFER Pursuant to General Order 224 (Related Case) by Clerk; related to SACV 98-822AHS(EEEx) (csb) (Entered: 08/06/2003)

08/11/2003 4 ORDER RE TRANSFER PURSUANT TO GENERAL ORDER 224 (Related Case) filed. [ Related Case no.: SACV 98-822AHS(EEEx)] Case referred from Discovery Arthur Nakazato to Discovery Marc L. Goldman The case number will now reflect the initials of the transferee Judge [ SACV 03-1188AHS (MLGx)] (cc: all counsel) (csb) (Entered: 08/11/2003)

08/26/2003 5 RETURN OF SUMMONS AND PROOF OF SERVICE executed upon defendant Staktek, US; Service by State statute on no date via substituted by serving summons and complaint to James W. Cady, President and CEO of Staktek, US, (twdb) (Entered: 08/27/2003)

08/27/2003 6 ANSWER filed by defendant Staktek Corp to complaint [1-1]; jury demand (twdb) (Entered: 08/28/2003)

08/27/2003 6 COUNTERCLAIM by defendant Staktek Corp against plaintiff Simpletech Inc; jury demand (twdb) (Entered: 08/28/2003)

08/27/2003 7 NOTICE OF INTERESTED PARTIES filed by defendant Staktek Corp (twdb) (Entered: 08/28/2003)

08/27/2003 8 ORDER striking filed documents from the record by Judge Alicemarie H. Stotler. It is hereby ordered that the documents shall be stricken from the record and shall not be considered by the court: striking notice of interested parties [7-1], striking counterclaim for declaratory judgment; demand for jury trial [6-1], striking answer; demand for jury trial [6-1]. Further Ordered that the documents shall not be returned to the filing party; however, the clerk shall note on the case docket that the documents are stricken from the record. (twdb) (Entered: 08/28/2003)

08/27/2003 9 APPLICATION AND ORDER of Non-Resident Attorney to Appear in a Specific Case filed for defendant Staktek Corp, counter-claimant Staktek Corp by J. Scott Denko. Designating Benjamin A. Nix as local counsel. Approved by Judge Alicemarie H. Stotler. (Fee pd) (twdb) (Entered: 08/28/2003)

09/02/2003 10 ORDER setting scheduling conference by Judge Alicemarie H. Stotler. It is further ordered that all counsel and partis appearing pro se must be familiar with the FRCP and LR of the Central District of California. Scheduling conf set for 1:30 11/24/03 (twdb) (Entered: 09/03/2003)

09/02/2003 11 ORIGINAL ANSWER to complaint for patent infringement [1-1] and ORIGINAL COUNTERCLAIM for declaratory judgment by defendant Staktek Corp against plaintiff Simpletech Inc; jury demand; summons not issued (twdb) (Entered: 09/03/2003)

09/02/2003 12 NOTICE OF INTERESTED PARTIES filed by defendant Staktek Corp (twdb) (Entered: 09/03/2003)


09/22/2003 13 REPLY TO ORIGINAL COUNTERCLAIM FOR DECLARATORY JUDGMENT [11-2] by counter-defendant Simpletech Inc (twdb) (Entered: 09/30/2003)

11/12/2003 14 NOTICE of appearance of Jones Day as co counsel by defendant Staktek Corp (twdb) (Entered: 11/20/2003)

11/17/2003 15 JOINT RULE 26 DISCOVERY PLAN filed; est length of trial 6 - 10 trial days (csb) (Entered: 11/21/2003)

11/24/2003 16 MINUTES: Cause called. Hearing held. Settlement procedure no. 1 selected

by the parties is no longer available. Parties shall meet and confer to select another option pursuant to local rule 16-14.4. Court approves propounding thirty interrogatories; otherwise, parties are to be guided by the FRCP unless further ordered by the court. The court sets the following case management dates: Discovery ddl set on 9/10/04; summary judgment cutoff set on 12/6/04 ; pretrial Conference set for 2:00 4/4/05; jury trial set on 9:00 5/17/05 ; scheduling conference held . Trial estimate 6-10 days. Court's order for jury trial issued to respective counsel appearing in court, and attached hereto; by Judge Alicemarie H. Stotler, CR: Walter Ledge (twdb) (Entered: 12/03/2003)

- 12/09/2003 17 NOTICE AND REQUEST Of Settlement Procedure Selection flid Parties request to apr bef an atty selected by the Attorney Settlement Officer Panel or apptd by the Judge for sttlmnt procdgs Order by Judge Alicemarie H. Stotler granting settlement procedure selection request [17-1] (twdb) (Entered: 12/10/2003)
- 12/16/2003 18 STIPULATION and ORDER for protection of confidential and proprietary information produced or disclosed by the parties or third party Staktek Group L.P. by Discovery Marc L. Goldman (twdb) (Entered: 12/17/2003)
- 12/23/2003 19 RECEIPT OF TRANSCRIPT of proceedings for the following date(s): 11/24/03 (Re: ) CR: W. R. Ledge (pjap) (Entered: 12/30/2003)
- 12/23/2003 -- TRANSCRIPT filed for proceedings held on 11/24/03 (pjap) (Entered: 12/30/2003)
- 01/20/2004  20 STIPULATION AND ORDER dropping and dismissing without prejudice defendant Staktek Corp., adding Staktek Group, L.P. as defendant and Granting plaintiff leave to file a first amended complaint by Judge Alicemarie H. Stotler : It is stipulated that defendant Staktek Corporation shall be dropped from this action and be dismissed from this action without prejudice. The counterclaims of defendant Staktek Corporation shall be dismissed from this action without prejudice; SimpleTech shall be granted leave to file the first amended complaint for patent infringement, which is lodged herewith; and the first amended complaint for patent infringement shall be deemed filed and served on the date that the following ORDER is granted by the court; and Staktek Group, L.P. shall have 20 days from the date that the following ORDER is granted by the court to answer the first amended complaint for patent infringement.(twdb, ) (Entered: 01/22/2004)
- 01/20/2004 21 FIRST AMENDED COMPLAINT against defendant Staktek Group L.P. amending Complaint (Discovery)[1] ; jury demand,filed by plaintiff SimpleTech Inc (twdb, ) (Entered: 01/29/2004)
- 01/23/2004 22 RECEIPT OF REPORTERS TRANSCRIPT of proceedings for the following dates: 11/24/03 Court Reporter: W. Ledge (twdb, ) (Entered: 02/02/2004)
- 02/09/2004 23 ANSWER to first Amended Complaint[21] with Jury Demand filed by defendant Staktek Group L.P. (twdb, ) (Entered: 02/18/2004)

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## US District Court Civil Docket

US District Court for the Central District of California  
(Southern Division)

8:01cv231

Simple Technology v. Dense-Pac Microsys

This case was retrieved from the court on Thursday, March 18, 2004

Date Filed: 02/21/2001  
Assigned To: Judge Alicemarie H Stotler  
Referred To: Discovery Marc L Goldman  
Nature of suit: Patent (830)  
Cause: Patent Infringement  
Lead Docket: None  
Other Docket: None  
Jurisdiction: Federal Question

Class Code: (MLGx),  
TERMED  
Closed: Yes  
Statute: 35:0271  
Jury Demand: Both  
Demand  
Amount: \$0

### Litigants

Simple Technology Inc, A California  
Corporation  
PLAINTIFF

### Attorneys

Joseph S Cianfrani  
[COR LD NTC]  
Knobbe Martens Olson & Bear  
2040 Main St, 14TH FL  
Irvine , CA 92614  
USA  
949-760-0404

Joseph F Jennings  
[COR LD NTC]  
Knobbe Martens Olson & Bear  
2040 Main St, 14TH FL  
Irvine , CA 92614  
USA  
949-760-0404

Joseph R Re

[COR LD NTC]  
Knobbe Martens Olson & Bear  
2040 Main St, 14TH FL  
Irvine , CA 92614  
USA  
949-760-0404

v.

Dense-Pac Microsystems Inc, A California  
Corporation  
DEFENDANT

Kenneth R Adamo  
[COR LD NTC]  
Jones Day North Point  
901 Lakeside Ave  
Cleveland , OH 44114-1190  
USA  
216-586-3939

Richard J Grabowski  
[COR LD NTC]  
Jones Day  
3 Park Plz, Ste 1100  
Irvine , CA 92614-6232  
USA  
949-851-3939  
Fax : 949-553-7539

Thomas R Malcolm  
[COR LD NTC]  
Jones Day  
3 Park Plz, Ste 1100  
Irvine , CA 92614-6232  
USA  
949-851-3939  
Fax : 949-553-7539

Dense-Pac Microsystems Inc Counter  
CLAIMANT

Richard J Grabowski  
[COR LD NTC]  
Jones Day  
3 Park Plz, Ste 1100  
Irvine , CA 92614-6232  
USA  
949-851-3939  
Fax : 949-553-7539

Thomas R Malcolm  
[COR LD NTC]  
Jones Day  
3 Park Plz, Ste 1100  
Irvine , CA 92614-6232  
USA  
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Kenneth R Adamo  
[COR LD NTC]  
Jones Day North Point  
901 Lakeside Ave  
Cleveland , OH 44114-1190  
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216-586-3939

Simple Technology Inc Counter  
DEFENDANT




Joseph S Cianfrani  
[COR LD NTC]  
Knobbe Martens Olson & Bear  
2040 Main St, 14TH FL  
Irvine , CA 92614  
USA  
949-760-0404





Joseph F Jennings  
[COR LD NTC]  
Knobbe Martens Olson & Bear  
2040 Main St, 14TH FL  
Irvine , CA 92614  
USA  
949-760-0404

Joseph R Re  
[COR LD NTC]  
Knobbe Martens Olson & Bear  
2040 Main St, 14TH FL  
Irvine , CA 92614  
USA  
949-760-0404




| Date       | #  | Proceeding Text  |
|------------|--|--|
| 02/21/2001 | <u>1</u>   | COMPLAINT filed Summons(es) issued referred to Discovery Arthur Nakazato (mt) (Entered: 02/27/2001)  |
| 02/21/2001 | <u>2</u>   | NOTICE OF INTERESTED PARTIES filed by plaintiff Simple Technology (mt) (Entered: 02/27/2001)   |
| 02/21/2001 | <u>3</u>   | NOTICE by plaintiff Simple Technology of related case(s) SACV98-822 AHS (EEx) (mt) (Entered: 02/27/2001)   |
| 02/21/2001 | <u>--</u>  | REPORT ON THE FILING OF AN ACTION REGARDING PATENTS (cc: form mailed to Washington, D.C.) (Opening) (mt) (Entered: 02/27/2001)   |
| 03/02/2001 | <u>4</u>   | RETURN OF SUMMONS and proof of service executed upon defendant Dense-Pac Microsys on 2/22/01 by personal delivery, rcvd by Anabel Alcaez (secretary to atty of record Nicholas Yocca) (rmi) (Entered: 03/07/2001)  |
| 03/09/2001 | <u>6</u>   | EX PARTE APPLICATION filed by defendant Dense-Pac Microsys to extend time to answer or otherwise resp to plf's complaint [1-1], as to defendant Dense-Pac Microsys ; memo of PA in suppt thereof; Lodged ord (rmi) (Entered: 03/14/2001)   |
| 03/09/2001 | <u>7</u>   | DECLARATION of Thomas R. Malcolm by defendant Dense-Pac Microsys in suppt of dft's exparte motion to extend time to answer or otherwise resp to plf's complaint [1-1], as to defendant Dense-Pac Microsys [6-1] (rmi) (Entered: 03/14/2001)  |
| 03/12/2001 |  <u>5</u> | ORDER RE TRANSFER PURSUANT TO GENERAL ORDER 224 (Related Case) filed. [ Related Case no.: SACV 98-822AHS(EEx)] Case referred from Discovery Arthur Nakazato to Discovery Elgin Edwards . The case number will now reflect the initials of the transferee Judge [ SACV01-231AHS(EEx)] (cc: all counsel) (csb) (Entered: 03/12/2001) |
| 03/12/2001 | <u>10</u>  | MEMO OF PA IN OPPOSITION by plaintiff Simple Technology to exparte motion to extend time to answer or otherwise resp to plf's complaint [1-1], as to defendant Dense-Pac Microsys [6-1] (seal) (Entered: 03/15/2001)   |
| 03/12/2001 | <u>11</u>  | DECLARATION of Joseph F. Jennings by plaintiff Simple Technology in  |



- suppt of plf's opp to dft's exparte motion to extend time to answer or otherwise resp to plf's complaint [1-1], as to defendant Dense-Pac Microsys [6-1] (seal) (Entered: 03/15/2001)
- 03/12/2001 12 ORDER by Judge Alicemarie H. Stotler denying exparte motion to extend time to answer or otherwise resp to plf's complaint [1-1], as to defendant Dense-Pac Microsys [6-1] (seal) (Entered: 03/15/2001)
- 03/13/2001 8 NOTICE of ruling denying dft Dense-Pac Microsystems Inc's ex parte appl to ext time to ans or otherwise resp to plf's cmp by defendant Dense-Pac Microsys (mt) (Entered: 03/15/2001)
- 03/13/2001 9 ANSWER filed by defendant Dense-Pac Microsys to complaint [1-1]; jury demand (mt) (Entered: 03/15/2001)
- 03/13/2001 9 COUNTERCLAIM by defendant Dense-Pac Microsys against plaintiff Simple Technology; jury demand; summons not issued (kh) (Entered: 04/02/2001)
- 03/28/2001  13 ORDER by Judge Alicemarie H. Stotler setting scheduling conference for 1:30pm on 7/16/01 (see doc for specifics) (SEND) (mt) (Entered: 03/30/2001)
- 03/30/2001 14 REPLY TO COUNTERCLAIM [9-1] by counter-defendant Simple Technology (kh) (Entered: 04/02/2001)
- 04/27/2001  15 MINUTES: IN CHAMBERS: Scheduling conference is cont to 1:30 7/23/01 ; by Judge Alicemarie H. Stotler; CR: Not Present (ad) (Entered: 04/27/2001)
- 07/13/2001 16 NOTICE by plaintiff Simple Technology of corp name change (rmi) (Entered: 07/17/2001)
- 07/16/2001 17 JOINT REPORT OF EARLY MEETING OF COUNSEL filed. Estimated length of trial 10 days (mt) (Entered: 07/19/2001)
- 07/23/2001 18 MINUTES: scheduling conference held , discovery ddl set on 2/19/02; plf's expert wit rpt 2/28/02; dft's expert wit rpt 3/18/02; rebuttal rpts 3/29/02; expert wit discov cutoff 4/22/02; motion filing ddl set on 5/1/02 ; pretrial conference on 2:00 8/5/02 ; jury trial on 9:00 10/22/02 for an estimated 10 days; final time allowed for trial will be determ at PTC; crt ord dft, Dense-Pac to show cause why the crt shld not dismiss the state law clms ; dft's written resp is due 8/6/01; plf's resp is due 8/13/01; dft's rply is due 8/20/01 & no oral arg; by Judge Alicemarie H. Stotler CR: Kathy Haaland (rmi) (Entered: 08/01/2001)
- 08/06/2001 19 MEMORANDUM OF P&A by defendant Dense-Pac Microsys, counter-claimant Dense-Pac Microsys in support of the crt's exercise of suppl juris over state law cntclms [18-4] (mt) (Entered: 08/15/2001)
- 08/10/2001 22 APPLICATION AND ORDER of Non-Resident Attorney to Appear in a Specific Case filed for defendant Dense-Pac Microsys, counter-claimant Dense-Pac Microsys by Kenneth R Adamo. Designating Thomas R. Malcolm as local counsel. Approved by Judge Alicemarie H. Stotler . (Fee pd) (rmi) (Entered: 08/21/2001)
- 08/13/2001 20 MEMORANDUM of PA by plaintiff Simple Technology, counter-defendant Simple Technology in support of the dismiss of Dense-Pac's state law cntclms for lack of suppl juris (rmi) (Entered: 08/20/2001)
- 08/13/2001 21 DECLARATION of Joseph S. Cianfrani by plaintiff Simple Technology, counter-defendant Simple Technology in suppt of plf/ctndft, Simple Tech Inc's memo of PA in suppt of the dismiss of Dense-Pac's state law cntclms for lack of suppl juris (rmi) (Entered: 08/20/2001)
- 08/20/2001 23 REPLY by defendant Dense-Pac Microsys, counter-claimant Dense-Pac Microsys in suppt of the crt's exercise of suppl juris over state law cntclms (rmi) (Entered: 08/24/2001)
- 11/08/2001  24 STIPULATION and ORDER by Judge Alicemarie H. Stotler that this case is stayed until the Court of Appeals for the Federal Circuit renders a decision in the appeal of SACV 98-822 AHS (EEEx); The schedule given to the parties at 7/23/01 scheduling conference is vacated; The parties will file a joint status report NLT 4/15/02. Court stays ruling on its 7/23/01 OSC why supplemental claims of counterclaim

- should not be dismissed; terminating case (MD JS-6) (send) (mt) (Entered: 11/14/2001)
- 04/12/2002 25 JOINT STATUS REPORT by plaintiff Simple Technology, defendant Dense-Pac Microsys (rmi) (Entered: 04/18/2002)
- 05/20/2002  26 ORDER by Judge Alicemarie H. Stotler amending scheduling order of 7/23/01: New dates: Discovery cut-off: 10/28/02; Pretrial Conference: 4/7/03 at 2:00pm; Jury trial: 6/3/03 at 9:00am (mt) (Entered: 05/21/2002)
- 05/20/2002  27 MINUTES (In Chambers): pursuant to the stip of the parties to await the decision of the court of appeals for the federal circuit in case #98-822; the appellate court having issued its decision, stay of rulings entered 11/8/01 is hereby vacated [24-2]; Case reopened (MD JS-5) ; having received, read & considered the parties' submissions, the court discharges the OSC issued on 7/23/01 [18-3]; (Entered: 05/21/02); by Judge Alicemarie H. Stotler CR: not present (rmi) (Entered: 05/21/2002)
- 06/04/2002 28 NOTICE OF MOTION AND MOTION by defendant Dense-Pac Microsys, counter-claimant Dense-Pac Microsys for entry of protective order governing the exchange of confidential & proprietary information ; motion hearing set for 10:00 7/2/02 (rmi) (Entered: 06/05/2002)
- 06/04/2002 29 JOINT STIPULATION filed in connection with Dense-Pac Micro Sys Inc's motion for entry of protective order governing the exchange of confidential & proprietary [28-1] (rmi) (Entered: 06/05/2002)
- 06/25/2002 30 NOTICE OF MOTION AND MOTION by defendant Dense-Pac Microsys, counter-claimant Dense-Pac Microsys to compel discovery response & production of documents ; motion hearing set for 10:00 7/30/02 (rmi) (Entered: 06/26/2002)
- 06/25/2002 31 DECLARATION of Mark Moshayedi by plaintiff Simple Technology in support of plaintiff's opposition to defendant's motion to compel discovery response & production of documents [30-1] (rmi) (Entered: 06/26/2002)
- 06/25/2002 32 JOINT STIPULATION filed in connection with Dense-Pac Microsystems Inc's motion to compel discovery response & production of documents [30-1] (rmi) (Entered: 06/26/2002)
- 06/25/2002 33 DECLARATION of Joseph F. Jennings by plaintiff Simple Technology in support of plaintiff's opposition to defendant's motion to compel discovery response & production of documents [30-1] (rmi) (Entered: 06/26/2002)
- 07/02/2002  34 MINUTES by Discovery Marc L. Goldman: Granting Defendant's motion for entry of protective order governing the exchange of confidential & proprietary information [28-1]; CR: Tape No. SA-184 (mg) (Entered: 07/03/2002)
- 07/02/2002 35 ORDER by Discovery Marc L. Goldman re protective order (see document for further details) (mg) (Entered: 07/03/2002)
- 07/16/2002 36 SUPPLEMENTAL MEMORANDUM OF LAW IN SUPPORT by defendant Dense-Pac Microsys of motion to compel discovery response & production of documents [30-1] (mg) (Entered: 07/18/2002)
- 07/16/2002 37 DECLARATION of Michael Woodrow De Vries by defendant Dense-Pac Microsys in support of memorandum of law in support of Dense-Pac Microsystems Inc's motion to compel discovery response & production of documents [30-1] (mg) (Entered: 07/18/2002)
- 07/19/2002 38 NOTICE OF MOTION AND MOTION by plaintiff Simple Technology, counter-defendant Simple Technology to compel discovery responses and production of documents ; motion hearing set for 10:00 8/13/02 (mt) Modified on 07/22/2002 (Entered: 07/22/2002)
- 07/19/2002 39 JOINT STIPULATION filed in connection with Simple Technology's motion to compel discovery responses [38-1] and production of documents [38-2] (mt) (Entered: 07/22/2002)
- 07/30/2002  40 NOTICE of reassignment of case due to unavailability of judicial officer; pursuant to directive of the Chief U.S. District Judge/Magistrate Judge & in accordance with the rules of this court, this case has been reassigned to Hon. Marc L.

Goldman, Magistrate Judge for any discov matters that may be ref; pls subst the initials so new case # will read SACV01-231AHS (MLGx) (rmi) (Entered: 07/30/2002)

- 08/08/2002 43 NOTICE OF CHANGE Of attorney info filed by atty Joseph R Re for counter-defendant Simple Technology (mt) (Entered: 08/13/2002)
- 08/08/2002 44 NOTICE OF CHANGE Of attorney info filed by atty Joseph S Cianfrani for counter-defendant Simple Technology (mt) (Entered: 08/13/2002)
- 08/08/2002 45 NOTICE OF CHANGE Of attorney info filed by atty Joseph F Jennings for counter-defendant Simple Technology (mt) (Entered: 08/13/2002)
- 08/09/2002  41 NOTICE AND REQUEST Of Settlement Procedure Selection fld Parties request to apr bef a randomly selected judicial officer frm the Civil Settlement Panel for sttlmnt procdgs Order by Judge Alicemarie H. Stotler denying settlement procedure selection request [41-1]; Further ordering that sttlmt procedure shall be #3 (mt) (Entered: 08/13/2002)
- 08/12/2002  42 MINUTES (In Chambers) by Discovery Marc L. Goldman: Dft's motion to compel discov [30-1] and plf's motion to compel discov responses [38-1]. Upon notification from both cnsl, the crt hereby ord the above-referenced mots off-cal as the ptys have resolved both mots prior to the sched hrg date of 8/13/02. CR: n/a (mt) (Entered: 08/13/2002)
- 09/09/2002  46 STIPULATED DISMISSAL PURSUANT TO FED R CIV P 41(a)(1): Ptys stip to dismiss of this actn in its entirety w/out prejudice. Each pty shall bear its own costs & attys' fees; terminating case (MD JS-6) (mt) (Entered: 09/12/2002)

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## US District Court Civil Docket

US District Court for the Central District of California  
(Southern Division)

**8:98cv822**

**Simpletech Inc v. Dpac Technologies**

This case was retrieved from the court on Thursday, March 18, 2004

Date Filed: 09/23/1998  
Assigned To: Judge Alicemarie H Stotler  
Referred To: Discovery Elgin Edwards  
Nature of suit: Patent (830)  
Cause: Patent Infringement  
Lead Docket: None  
Other Docket: None  
Jurisdiction: Federal Question

Class Code: (XXEEx),  
APPEAL,  
TERMED  
Closed: Yes  
Statute: 35:0271  
Jury  
Demand: Both  
Demand  
Amount: \$0

### Litigants

Simpletech Inc, A California Corporation FKA  
Simple Technology Inc  
PLAINTIFF

### Attorneys

Joseph F Jennings  
[COR LD NTC]  
Knobbe Martens Olson & Bear  
2040 Main St, 14TH FL  
Irvine, CA 92614  
USA  
949-760-0404

Joseph R Re  
[COR LD NTC]  
Knobbe Martens Olson & Bear  
2040 Main St, 14TH FL  
Irvine, CA 92614  
USA  
949-760-0404

v.

Dpac Technologies Corp, A California  
Corporation FKA Dense-Pac Microsystems Inc  
DEFENDANT

Joanne S Redmann  
[COR LD NTC]  
[Term: 06/04/2003]  
Liner Yankelevitz Sunshine & Regenstreif  
1100 Glendon Ave, 14TH FL  
Los Angeles , CA 90024-3503  
USA  
310-500-3500  
Fax : 310-500-3501

John P Scherlacher  
[COR LD NTC]  
[Term: 10/04/1999]  
Loeb & Loeb  
10100 Santa Monica Blvd, Ste 2200  
Los Angeles , CA 90067-4164  
USA  
310-282-2000

Kenneth R Adamo  
[COR LD NTC]  
Jones Day North Point  
901 Lakeside Ave  
Cleveland , OH 44114-1190  
USA  
216-586-3939

Kit M Stetina  
[COR LD NTC]  
Stetina Brunda Garred & Brucker  
75 Enterprise, Ste 250  
Aliso Viejo , CA 92656  
USA  
949-855-1246  
Fax : 949-855-6371

Richard J Grabowski  
[COR LD NTC]  
Jones Day  
3 Park Plz, Ste 1100  
Irvine , CA 92614-6232  
USA  
949-851-3939  
Fax : 949-553-7539

Gregory E Woodard  
[COR LD NTC]  
Morrison & Foerster  
19900 MacArthur Blvd, Ste 1200  
Irvine , CA 92612-2445  
USA  
949-251-7500  
Fax : 949-251-0900

Dpac Technologies Corp FKA Dense-Pac  
Microsystems Inc Counter  
CLAIMANT

Gregory E Woodard  
[COR LD NTC]  
Morrison & Foerster  
19900 MacArthur Blvd, Ste 1200

Irvine , CA 92612-2445  
USA  
949-251-7500  
Fax : 949-251-0900

Joanne S Redmann  
[COR LD NTC]  
[Term: 06/04/2003]  
Liner Yankelevitz Sunshine & Regenstreif  
1100 Glendon Ave, 14TH FL  
Los Angeles , CA 90024-3503  
USA  
310-500-3500  
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John P Scherlacher  
[COR LD NTC]  
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10100 Santa Monica Blvd, Ste 2200  
Los Angeles , CA 90067-4164  
USA  
310-282-2000

Richard J Grabowski  
[COR LD NTC]  
Jones Day  
3 Park Plz, Ste 1100  
Irvine , CA 92614-6232  
USA  
949-851-3939  
Fax : 949-553-7539

Simpletech Inc FKA Simple Technology Inc  
Counter  
DEFENDANT

Joseph F Jennings  
[COR LD NTC]  
Knobbe Martens Olson & Bear  
2040 Main St, 14TH FL  
Irvine , CA 92614  
USA  
949-760-0404

Joseph R Re  
[COR LD NTC]  
Knobbe Martens Olson & Bear  
2040 Main St, 14TH FL  
Irvine , CA 92614  
USA  
949-760-0404

Simpletech Inc AKA Simple Technology Inc  
Counter  
CLAIMANT

Joseph F Jennings  
[COR LD NTC]  
Knobbe Martens Olson & Bear  
2040 Main St, 14TH FL  
Irvine , CA 92614  
USA  
949-760-0404

Joseph R Re  
[COR LD NTC]

Knobbe Martens Olson & Bear  
 2040 Main St, 14TH FL  
 Irvine , CA 92614  
 USA  
 949-760-0404

Dpac Technologies Corp FKA Dense-Pac  
 Microsystems Inc Counter  
 DEFENDANT

Joanne S Redmann  
 [COR LD NTC]  
 [Term: 06/04/2003]  
 Liner Yankelevitz Sunshine & Regenstreif  
 1100 Glendon Ave, 14TH FL  
 Los Angeles , CA 90024-3503  
 USA  
 310-500-3500  
 Fax : 310-500-3501

John P Scherlacher  
 [COR LD NTC]  
 [Term: 10/04/1999]  
 Loeb & Loeb  
 10100 Santa Monica Blvd, Ste 2200  
 Los Angeles , CA 90067-4164  
 USA  
 310-282-2000

| Date       | #         | Proceeding Text   |
|------------|-----------|---|
| 09/23/1998 | <u>1</u>  | COMPLAINT filed Summons(es) issd referred to Discovery Elgin Edwards (rm) (Entered: 09/28/1998)   |
| 09/23/1998 | <u>2</u>  | NOTICE by plaintiff Simple Technology of interested ptys (rm) (Entered: 09/28/1998)   |
| 09/23/1998 | --        | REPORT ON THE FILING OF AN ACTION REGARDING PATENTS (cc: form mailed to Washington, D.C.)(Opening) (rm) (Entered: 09/28/1998)   |
| 09/28/1998 | <u>3</u>  | MINUTES: (in chams) Ord dir pla to fi a corrected cmp nlt 10-13-98 by Judge Alicemarie H. Stotler CR: none (krpa) (Entered: 09/30/1998)   |
| 10/13/1998 | <u>4</u>  | CORRECTED COMPLAINT [1-1].by plaintiff Simple Technology; jury demand. Summons not issd (mrgo) (Entered: 10/14/1998)  |
| 10/13/1998 | <u>5</u>  | NOTICE of filing corrected cmp by plaintiff Simple Technology (mrgo) (Entered: 10/14/1998)  |
| 10/13/1998 | <u>7</u>  | RETURN OF SUMMONS and proof of service executed upon defendant Dense-Pac Microsys on 9/24/98 srvd to Jill White by pers svc (krpa) (Entered: 10/16/1998)                              |
| 10/15/1998 | <u>6</u>  | ANSWER to corrected complaint [4-1] and COUNTERCLAIM by defendant Dense-Pac Microsys against plaintiff Simple Technology; jury demand ; summons not issd (mrgo) (Entered: 10/16/1998) |
| 11/05/1998 | <u>8</u>  | STIPULATION and ORDER for ext of ti to resp to cntclms to & includ 11-11-98 by Judge Alicemarie H. Stotler (krpa) (Entered: 11/09/1998)   |
| 11/12/1998 | <u>9</u>  | ANSWER TO COUNTERCLAIM [6-2] (& CNTCLM) by counter-defendant Simple Technology (krpa) (Entered: 11/13/1998)   |
| 11/12/1998 | <u>9</u>  | (Answer to cntclm) & COUNTERCLAIM by counter-defendant Simple Technology against counter-claimant Dense-Pac Microsys (krpa) (Entered: 11/13/1998)                                     |
| 11/20/1998 | <u>10</u> | ORDER re mtng of cnsl by Judge Alicemarie H. Stotler ; mandatory status conference set on 1:30 1/11/99 (krpa) (Entered: 11/23/1998)   |

- 12/02/1998 11 ANSWER TO COUNTERCLAIM [9-1] by counter-defendant Dense-Pac Microsys (krpa) (Entered: 12/03/1998)
- 12/22/1998 12 JOINT REPORT OF EARLY MEETING OF COUNSEL filed. Estimated length of trial 10 dys (krpa) (Entered: 01/05/1999)
- 12/30/1998 13 STIPULATION and ORDER for protect ord of confid & proprietary info produced by the ptys: (see doc for specifics) by Judge Alicemarie H. Stotler (krpa) Modified on 04/15/1999 (Entered: 01/07/1999)
- 01/11/1999 14 MINUTES: ; mandatory status conference held ;discovery ddl set on 8/2/99 ; motion filing ddl set on 8/30/99 ; pretrial conference on 2:00 11/8/99 ; jury trial set on 10:00 12/21/99 by Judge Alicemarie H. Stotler CR: none (krpa) (Entered: 01/13/1999)
- 04/05/1999 15 NOTICE OF MOTION AND MOTION by defendant Dense-Pac Microsys for summary adjudication of NON-INFRNGMNT OF CLM 1-15 of US Patent no 5,514,907 ; motion hearing set for 10:00 4/26/99 Lodged prop stmt/prop ord (krpa) (Entered: 04/15/1999)
- 04/05/1999 16 MEMORANDUM of P/A IN SUPPORT by defendant Dense-Pac Microsys of motion for summary adjudication of NON-INFRNGMNT OF CLM of US Patent no 5,514,907 [15-1] (krpa) (Entered: 04/15/1999)
- 04/05/1999 17 NOTICE OF MOTION AND MOTION by defendant Dense-Pac Microsys for summary adjudication of INVALID OF CLMS 1-15 of US Patent no. 5,514,907 ; motion hearing set for 10:00 4/26/99 Lodged prop stmt/prop ord (krpa) (Entered: 04/15/1999)
- 04/05/1999 18 MEMORANDUM of P/A IN SUPPORT by defendant Dense-Pac Microsys of motion for summary adjudication of INVALID OF CLMS 1-15 of US Patent no. 5,514,907 [17-1] (krpa) (Entered: 04/15/1999)
- 04/14/1999 19 STIPULATION and ORDER by Judge Alicemarie H. Stotler resetting hearing on motion for summary adjudication of INVALID OF CLMS 1-15 of US Patent no. 5,514,907 [17-1] 5/10/99, resetting hearing on motion for summary adjudication of NON-INFRNGMNT OF CLM 1-15 of US Patent no 5,514,907 [15-1] 10:00 5/10/99; the due dts for opp & rply be set for 4-19-99 & 5-3-99 (krpa) (Entered: 04/23/1999)
- 04/19/1999 20 MEMO OF P/A IN OPPOSITION by plaintiff Simple Technology to dft's motion for summary adjudication of INVALID OF CLMS 1-15 of US Patent no. 5,514,907 [17-1] (krpa) (Entered: 04/27/1999)
- 04/19/1999 21 DECLARATION of Joseph F Jennings by plaintiff Simple Technology in suppt of pla' s opp to dft's motion for summary adjudication of INVALID OF CLMS 1-15 of US Patent no. 5,514,907 [17-1] (krpa) (Entered: 04/27/1999)
- 04/19/1999 22 STATEMENT gen iss of mat fact in opp by plaintiff Simple Technology re motion for summary adjudication of INVALID OF CLMS 1-15 of US Patent no. 5,514,907 [17-1] (krpa) (Entered: 04/27/1999)
- 04/19/1999 23 APPENDIX of auths filed by plaintiff Simple Technology cited in suppt of pla's opp to dft's mtn for S/Adjud of invalid of clm,s 1-15 of US Patent no. 5,514,907 [17-1] (krpa) (Entered: 04/27/1999)
- 04/20/1999 24 DECLARATION of Charles E Bauer PhD by defendant Dense-Pac Microsys in suppt of dft's motion for summary adjudication of INVALID OF CLMS 1-15 of US Patent no. 5,514,907 [17-1] (krpa) (Entered: 04/27/1999)
- 04/26/1999 25 DECLARATION of Mark Moshayed by plaintiff Simple Technology in suppt of pla's opp to dft's motion for summary adjudication of NON-INFRNGMNT OF CLM 1-15 of US Patent no 5,514,907 [15-1] (krpa) (Entered: 05/03/1999)
- 05/03/1999 26 NOTICE OF MOTION AND MOTION by plaintiff Simple Technology for partial summary judgment of literal infringement of clm 12 of US Patent no 5,514,907 ; motion hearing set for 10:00 5/24/99 Lodged stmt/prop ord (krpa) (Entered: 05/06/1999)
- 05/03/1999 27 DECLARATION of Mark Moshayed by plaintiff Simple Technology re motion



- for partial summary judgment of literal infringement of clm 12 of US Patent no 5,514,907 [26-1] (krpa) (Entered: 05/06/1999)
- 05/03/1999 28 APPENDIX of auths cited filed by plaintiff Simple Technology in suppt of pla's mtn for part S/J of lit infrngmnt of clm 12 of US Patent no. 5,514,907 [26-1] (krpa) (Entered: 05/06/1999)
- 05/03/1999 29 DECLARATION of Edward G Bruce by defendant Dense-Pac Microsys re motion for summary adjudication of INVALID OF CLMS 1-15 of US Patent no. 5,514,907 [17-1] (krpa) (Entered: 05/06/1999)
- 05/06/1999 30 MINUTES: (in chams) Ord resetting hearing on dft's motion for partial summary judgment of literal infringement of clm 12 of US Patent no 5,514,907 [26-1] 2:00 6/11/99, resetting hearing on dft's motion for summary adjudication of INVALID OF CLMS 1-15 of US Patent no. 5,514,907 [17-1] 2:00 6/11/99, resetting hearing on pla's motion for summary adjudication of NON-INFRNGMNT OF CLM 1-15 of US Patent no 5,514,907 [15-1] 2:00 6/11/99; dft's opp to pla's rply rel to pla's mtn shall be fld & srvd nlt 5-17-99 & 5-24-99 respectively by Judge Alicemarie H. Stotler CR: none (krpa) (Entered: 05/11/1999)
- 05/07/1999 31 STATEMENT nonliab as to clms 1-11 & 13-15 of US patent no 5,514,907 re: by plaintiff Simple Technology re motion for summary adjudication of INVALID OF CLMS 1-15 of US Patent no. 5,514,907 [17-1], motion for summary adjudication of NON-INFRNGMNT OF CLM 1-15 of US Patent no 5,514,907 [15-1] (krpa) (Entered: 05/11/1999)
- 05/17/1999 42 STATEMENT of appearance of co-cnsl Stetina Brunda Garrad & Brucker by defendant Dense-Pac Microsys (krpa) (Entered: 05/21/1999)
- 05/24/1999 43 SUPPL DECLARATION of Joseph F Jennings by plaintiff Simple Technology in suppt of pla's rply re its motion for partial summary judgment of infringement of clm 12 of US Patent no 5,514,907 [26-1] (krpa) (Entered: 05/25/1999)
- 05/27/1999 44 NOTICE of intent to display video presentation dur the 6-11-99 hrg by defendant Dense-Pac Microsys (krpa) (Entered: 06/03/1999)
- 06/04/1999 45 MINUTES: (in chams) Ord resetting hearing on dft's motion for summary adjudication of INVALID OF CLMS 1-15 of US Patent no. 5,514,907 [17-1] 10:00 6/21/99, resetting hearing on motion for summary adjudication of NON-INFRNGMNT OF CLM 1-15 of US Patent no 5,514,907 [15-1] 10:00 6/21/99 & resetting hearing on pla's motion for partial summary judgment of literal infringement of clm 12 of US Patent no 5,514,907 [26-1] 6/21/99 by Judge Alicemarie H. Stotler CR: none (krpa) (Entered: 06/08/1999)
- 06/08/1999 47 NOTICE of intent to display video presentation dur the 6-11-99 hrg by defendant Dense-Pac Microsys (krpa) (Entered: 06/10/1999)
- 06/08/1999 48 JNT STIPULATION and ORDER to revise PT Sched ord by Judge Alicemarie H. Stotler ; discovery ddl set on 11/1/99 ; motion filing ddl set on 11/29/99 ; pretrial conference on 2:00 2/14/00 ; jury trial set on 10:00 3/28/00 (krpa) (Entered: 06/10/1999)
- 06/11/1999 50 OBJECTIONS by plaintiff Simple Technology to Dense-Pac's submission of video after the close of briefing on pend S/J mtns [26-1], [17-1], [15-1] (mrgo) (Entered: 06/17/1999)
- 06/18/1999 51 RESPONSE by defendant Dense-Pac Microsys to pla's objts to dft's submission of video after the close of br on pend motion for summary adjudication of INVALID OF CLMS 1-15 of US Patent no. 5,514,907 [17-1], to motion for summary adjudication of NON-INFRNGMNT OF CLM 1-15 of US Patent no 5,514,907 [15-1] (krpa) (Entered: 06/28/1999)
- 06/21/1999 52 MINUTES: Re: pla/cntclmnt's mtn for part S/J of lit infrngmnt of clm 12 of US Pat No. 5,514,907; dft/cntpla's mtn for S/Adjud of non-infrmnt of clms 1-15 PF US Pat No. 5,514,907; dft/cntpla's mtn for S/Adjud of invalid of clms 1-15 of US Pat No. 5,514,907: the pla will submit a br (not to exceed 10 pgs) in obj videotape provided by the dft for today's proceeding, nlt 2 wks from today's

- dt; the dft will submit case citation mentioned at today's hrg & will tag & submit the exhts from today's hrg for the crt's consid nlt 2 wks from today's dt; the 3 mtns stand submitted before the crt by Judge Alicemarie H. Stotler CR: K Haaland (krpa) (Entered: 06/28/1999)
- 06/30/1999 53 SUPPLEMENTAL case citation by defendant Dense-Pac Microsys in suppt of dft's motion for summary adjudication of NON-INFRINGEMENT OF CLM 1-15 of US Patent no 5,514,907 [15-1] (krpa) (Entered: 07/07/1999)
- 07/01/1999 54 DEMONSTRATIVE PHYSICAL EXHIBITS in suppt of dft's mtn of S/Adjud of non-infringement of clms 1-15 of US Patent 5,514,907 (krpa) (Entered: 07/07/1999)
- 07/06/1999 55 REPLY by plaintiff Simple Technology to dft's video presentation in suppt of its motion for summary adjudication of INVALID OF CLMS 1-15 of US Patent no. 5,514,907 [17-1], motion for summary of NON-INFRINGEMENT OF CLM 1-15 of US Patent no 5,514,907 [15-1] (krpa) (Entered: 07/08/1999)
- 08/27/1999 57 NOTICE OF MOTION AND MOTION by plaintiff/ counter-defendant Simple Technology for summary judgment of non-infringement of US patent #4,956,694 motion hearing set for 10:00 9/27/99 ; Lodged stmt and prop ord (kh) (Entered: 09/08/1999)
- 08/27/1999 58 MEMORANDUM OF P/A IN SUPPORT by plf/cntdft Simple Technology of motion for summary judgment of non- infringement of US patent #4,956,694 [57-1] (kh) (Entered: 09/08/1999)
- 08/27/1999 59 DECLARATION of Mark Moshayed by plf/cntdft Simple Technology in suppt of motion for summary judgment of non-infringement of US patent #4,956,694 [57-1] (kh) (Entered: 09/08/1999)
- 08/27/1999 60 DECLARATION of Joseph F. Jennings by plf/cntdft Simple Technology in suppt of motion for summary judgment of non-infringement of US patent #4,956,694 [57-1] (kh) (Entered: 09/08/1999)
- 08/27/1999 61 APPEND OF AUTH cited by plaintiff/counter-defendant in suppt of motion for summary judgment of non-infringement of US patent #4,956,694 [57-1] (kh) (Entered: 09/08/1999)
- 08/30/1999 62 REVISED NOTICE OF motion and motion for summary judgment of non-infringement of US patent #4,956,694 [57-1] filed by plaintiff/counter-defendant Simple Technology (kh) (Entered: 09/09/1999)
- 09/01/1999 63 NOTICE OF DISCREPANCY AND ORDER that mtn for s/j rcd 8/30/99 be filed and proc by Judge Alicemarie H. Stotler (kh) (Entered: 09/11/1999)
- 09/08/1999 64 STIPULATION and ORDER by Judge Alicemarie H. Stotler that the briefing sched & hrng on dft's mtn for summ jgm as fol: opp: 9/29/99, rply brief: 10/11/99 & cont hrng on motion for summary judgment of non-infringement of US patent #4,956,694 [57-1] to 10/25/99 (rmi) (Entered: 09/15/1999)
- 09/20/1999 65 NOTICE of Atty Change of Firm filed by JoAnne S. Redmann, cnsl for Plf/Cntclm Dense-pac Microsystems Inc (lb) (Entered: 09/27/1999)
- 09/29/1999 66 OPPOSITION by dft Dense-Pac Microsys, cntclm Dense-Pac Microsys to plf & cntdft Simple Technology's mot for S/J of non-infringement of US patent #4,956,694 [57-1] (lb) (Entered: 10/06/1999)
- 09/29/1999 67 STATEMENT Genuine Issues of Material Fact in opp by defendant Dense-Pac Microsys, counter-claimant Dense-Pac Microsys Simple Technology's motion for summary judgment of non-infringement of US patent #4,956,694 [57-1] (lb) (Entered: 10/06/1999)
- 09/29/1999 68 DECLARATION of Charles E Bauer, Ph.d. in Supp by defendant Dense-Pac Microsys, counter-claimant Dense-Pac Microsys Opp to motion for summary judgment of non-infringement of US #4,956,694 [57-1] (lb) (Entered: 10/06/1999)
- 09/29/1999 69 APPENDIX of Authorities in Suppt filed by defendant Dense-Pac Microsys, counter-claimant Dense-Pac Microsys in opp re [57-1] (lb) (Entered: 10/06/1999)

- 10/06/1999)
- 09/29/1999 70 OBJECTIONS by defendant Dense-Pac Microsys, counter-claimant Dense-Pac Microsys to decl of Joseph F Jennings in suppt re [57-1] (lb) (Entered: 10/06/1999)
- 09/29/1999 71 REQUEST by defendant Dense-Pac Microsys, counter-claimant Dense-Pac Microsys to Strike & Evidentiary Objections to Decl of Mark Moshayed in supp of plf/cntdft's mot for S/J (lb) (Entered: 10/06/1999)
- 10/04/1999 73 STIPULATION and ORDER by Judge Alicemarie H. Stotler: IT IS HEREBY ORD, the Pretrial Sched Ord be REVISED as follows: Plf/Cntclm expert rpts due 12/15/99; Dft/Cntdft expert rpts due 1/14/00 discovery ddl set on 1/14/00; PTC on 2:00 4/24/00 ; Expert Depo Cutoff: 2/7/00 (lb) (Entered: 10/08/1999)
- 10/04/1999 75 ATTORNEY SUBSTITUTION: terminating attorney John P Scherlachner for Dense-Pac Microsys & substituting attorney JoAnne S Redmann; by Judge Alicemarie H. Stotler (lb) (Entered: 10/12/1999)
- 10/06/1999 72 MINUTES: On 9/30/99, the ptys ldgd a Joint Stip & Ord to revise Pretrial Sched Ord. On 10/4/99, the Crt signed the Joint Stip & Ord, CONTINUING the Pretrial Conf to 4/24/00. Beacuse the ptys did not propose a continuance of the 3/28/00, Jury Trial, the Crt hereby RESETS the jury trial to 10:00 6/6/00 by Judge Alicemarie H. Stotler CR: n/a (lb) (Entered: 10/08/1999)
- 10/06/1999 74 MINUTES: (In Chambers) The dft's 9/29/99 flgs are hereby ord STRICKEN for failure to comply w/LR 3.4.1's ten character per inch limitation: striking motion opposition [66-1], striking statement [67-1], striking request [71-1], striking objection [70-1], striking declaration [68-1], striking documents [69-1], striking declaration of Joanne S. Redmann. Because of the LR violation set forth (see doc for rule specifics) the Mot in Opp to plf's Mot for S/J [62-1] is CONTINUED to 10:00 11/8/99. The Crt resets the briefing schedule as fol: Dft's doc in opp to plf's Mot for S/J must be fld & srvd NLT 10/18/99; plf's reply must be fld & srvd NLT 10/25/99. (see doc for more details) by Judge Alicemarie H. Stotler; CR: n/a; (cc: cnsl) (lb) (Entered: 10/08/1999)
- 10/15/1999 76 OPPOSITION by defendant Dense-Pac Microsys, counter-claimant Dense-Pac Microsys to plf/cntdft's motion for summary judgment of non-infringement of US patent #4,956,694 [57-1] (mrgo) (Entered: 10/25/1999)
- 10/15/1999 77 STATEMENT of genuine issues by defendant Dense-Pac Microsys, counter-claimant Dense-Pac Microsys in opp to plf's motion for summary judgment of non-infringement of US patent #4,956,694 [57-1] (mrgo) (Entered: 10/25/1999)
- 10/15/1999 78 DECLARATION of Charles E Bauer by defendant Dense-Pac Microsys, counter-claimant Dense-Pac Microsys in suppt of dft/cntclm's opp to plf's motion for summary judgment of non-infringement of US patent [57-1] (mrgo) (Entered: 10/25/1999)
- 10/15/1999 79 APPENDIX OF AUTH filed by defendant Dense-Pac Microsys, counter-claimant Dense-Pac Microsys in suppt of dft/cntclm's opp to plf's mtn for S/J [57-1] (mrgo) (Entered: 10/25/1999)
- 10/15/1999 80 REQUEST TO STRIKE & EVID OBJ by defendant Dense-Pac Microsys, counter-claimant Dense-Pac Microsys to decl of Mark Moshayed in suppt of plf/cntdft's motion for summary judgment of non-infringement of US patent #4,956,694 [57-1] (mrgo) (Entered: 10/25/1999)
- 10/15/1999 81 EVID OBJECTIONS by defendant Dense-Pac Microsys, counter-claimant Dense-Pac Microsys to decl of Joseph F Jennings in suppt of plf/cntdft's mtn for S/J [57-1] (mrgo) (Entered: 10/25/1999)
- 10/25/1999 84 Appendix of other Auth by plaintiff & Counter-dft Simple Technology cited in suppt of their rply memo in suppt of its motion for summary judgment of non-infringement of US #4,956,694 [57-1] (rmi) (Entered: 10/27/1999)
- 10/25/1999 85 RESPONSE by plaintiff Simple Technology, counter-defendant Simple Technology to Dense-Pac's objections [81-1] & requests to strk the decl of

- Mark Moshayedi & Joseph F Jennings (rmi) (Entered: 10/27/1999)
- 10/25/1999 86 REPLY memo by counter-defendant Simple Technology, plaintiff Simple Technology in suppt of itms motion for summary judgment of non-infringement of US patent #4,956,694 [57-1] (rmi) (Entered: 10/27/1999)
- 10/25/1999 87 SUPPL DECLARATION of Mark Moshayedi by plaintiff Simple Technology, counter-defendant Simple Technology in suppt of its motion for summary judgment of non-infringement of US patent #4,956,694 [57-1] (rmi) (Entered: 10/27/1999)
- 10/25/1999 88 Notcie of Relevant development by plaintiff Simple Technology, counter-defendant Simple Technology concerning dfts' pending motion for summary adjudication of INVALID OF CLMS 1-15 of US Patent no. 5,514,907 [17-1] (rmi) (Entered: 10/27/1999)
- 11/01/1999 89 REPLY by dft/cntclm Dense-Pac Microsys to plf Simple Technology's Response re [85-1] (lb) (Entered: 11/08/1999)
- 11/03/1999 90 RESPONSE by Dense-Pac Microsys, Dense-Pac Microsys to plf Simple Technology's Ntc of Relevant Developments concerning Dft's pending motion for partial summary judgment of Invalidity of US Patent no 5,514,907 [26-1] (lb) (Entered: 11/15/1999)
- 11/08/1999 91 MINUTES: takin plf's Motion for summary judgment of non-infringement of US patent #4,956,694 [57-1] under subm by Judge Alicemarie H. Stotler CR: Kathy Haaland (rmi) (Entered: 11/18/1999)
- 11/30/1999 93 NOTICE OF MOTION AND MOTION by plaintiff Simple Technology to compel resp to interrogs & req for productn , Req for attorney fees ; motion hearing set for 10:00 12/14/99 Lodged proposed ord (jd) (Entered: 12/07/1999)
- 11/30/1999 94 Declaration of Joseph S. Cianfrani in supprt by plaintiff Simple Technology to motion to compel resp to interrogs & req for productn [93-1], motion Req for attorney fees [93-2] (jd) (Entered: 12/07/1999)
- 11/30/1999 95 Joint Stip by plaintiff Simple Technology, defendant Dense-Pac Microsys to motion to compel resp to interrogs & req for productn [93-1], motion Req for attorney fees [93-2] (jd) (Entered: 12/07/1999)
- 11/30/1999 96 STIPULATION filed for discovery re: Defendant Dens-Pac Motion to Compel Productn of Docs & Req for Attys fees (jd) (Entered: 12/07/1999)
- 11/30/1999 97 APPENDIX filed by defendant Dense-Pac Microsys in supprt of Dense-Pac Motion to Compel Productn of Docs & Req for Attys fees. (jd) (Entered: 12/07/1999)
- 12/02/1999 92 MINUTES (In Chambers): ntc to cnsl-L.R. 2.10; ret letter dtd 11/17/99; (see doc for specifics); by Judge Alicemarie H. Stotler CR: not present (rmi) (Entered: 12/03/1999)
- 12/02/1999 108 NOTICE OF MOTION AND MOTION by defendant & counter-defendant Dense-Pac Microsys to compel prod of docs , and for attorney fees ; motion hearing set for 10:00 12/14/99 Lodged (seal) (Entered: 12/20/1999)
- 12/07/1999 105 SUPPL BRIEF FILED by plaintiff Simple Technology, counter-defendant Simple Technology in suppt of its mot to comp resps to interrog & prod of docs [93-1] (mrgo) (Entered: 12/20/1999)
- 12/07/1999 106 DECLARATION of Joseph F Jennings by plaintiff Simple Technology, counter-defendant Simple Technology in suppt of its motion compel resp to interrogs & req for productn [93-1], & motion Req for attorney fees [93-2] (mrgo) (Entered: 12/20/1999)
- 12/07/1999 107 SUPPL BR IN OPPOSITION by plaintiff Simple Technology, counter-defendant Simple Technology re its motion to compel resp to interrogs & req for productn [93-1] (mrgo) (Entered: 12/20/1999)
- 12/07/1999 110 APPENDIX filed by defendant Dense-Pac Microsys, counter-claimant Dense-Pac Microsys of other auth cited in dft/cntclm's suppl memo in suppt of its

- mot to comp prod of docs [108-1], & req for attys fees [108-2] (mrgo) (Entered: 12/21/1999)
- 12/07/1999 111 SUPPL MEMO IN RESPONSE by defendant Dense-Pac Microsys, counter-claimant Dense-Pac Microsys to plf/cntdft's motion to compel resp to & req for productn [93-1], to motion Req for attorney fees [93-2] (mrgo) (Entered: 12/21/1999)
- 12/08/1999 109 NOTICE OF DISCREPANCY AND ORDER mot to compel and prop ord, lacking ntc/untimely be fld by Discovery Elgin Edwards (lc) (seal) Modified on 12/20/1999 (Entered: 12/20/1999)
- 12/13/1999 99 ORDER by Discovery Elgin Edwards GRANT in part DENY in part dft's motion to compel resp to interogs & req for productn [93-1] (see doc for specifics), denying dft's motion Req for attorney fees w/o prej [93-2] (mrgo) (Entered: 12/13/1999)
- 12/13/1999 112 DECLARATION of Joseph S Cianfrani by plaintiff Simple Technology, counter-defendant Simple Technology in opp to dft/cntclm Dense-Pac's motion compel prod of docs [108-1], motion for attorney fees [108-2] (mrgo) (Entered: 12/21/1999)
- 12/14/1999 113 NOTICE OF MOTION AND MOTION by defendant Dense-Pac Microsys, counter-claimant Dense-Pac Microsys to compel prod of docs , and request for attorney fees ; motion hearing set for 10:00 1/4/00 Lodged prop ord (mrgo) (Entered: 12/27/1999)
- 12/14/1999 114 APPENDIX filed by defendant Dense-Pac Microsys, counter-claimant Dense-Pac Microsys of other auth cited in suppt of its mot to comp prod of docs [113-1], & req for atty fees [113-2] (mrgo) (Entered: 12/27/1999)
- 12/14/1999 115 JNT STIP by plaintiff Simple Technology, counter-defendant Simple Technology re dft & cntclm Dense-Pac's motion to compel prod of docs [113-1], motion request for attorney fees [113-2] (mrgo) (Entered: 12/27/1999)
- 12/15/1999 104 ORDER by Discovery Elgin Edwards GRANT in part DENY in part dft's motion to compel resp to interogs & req for productn [93-1], denying dft's motion Req for attorney fees [93-2], (see doc for specifics), sent cpys (rmi) (Entered: 12/16/1999)
- 12/16/1999 116 AMENDED NOTICE by defendant Dense-Pac Microsys of hearing resetting hearing on motion to compel prod of docs [108-1] 10:00 1/4/00, resetting hearing on motion for attorney fees [108-2] 10:00 1/4/00 (jd) (Entered: 12/28/1999)
- 12/27/1999 117 SUPPL MEMO IN OPPOSITION by plaintiff Simple Technology, counter-defendant Simple Technology to dft/cntplf's motion to compel prod of docs [113-1] (mrgo) (Entered: 01/03/2000)
- 12/27/1999 118 SUPPL MEMORANDUM IN SUPPORT by defendant Dense-Pac Microsys, counter-claimant Dense-Pac Microsys of its motion to compel prod of docs [113-1], motion request for attorney fees [113-2] (mrgo) (Entered: 01/03/2000)
- 01/06/2000 119 MINUTES: (in chambs) granting dft's motion to compel prod of docs [113-1] to the extent that it seeks an ord to comp prod of docs resp to the requests for prod in issue, namely, requests 38 & 43-46; denying dft's motion request for attorney fees [113-2] W/O PREJ by Discovery Elgin Edwards CR: n/a (mrgo) (Entered: 01/10/2000)
- 01/10/2000 120 MINUTES (Discovery Conf-telephonic): the Magistrate Judge by phone w/cnsl for the ptys & for a non-pty wit on dft's exparte oral appl to compel prod of wits under rule 30(b)(6) & for an ord compelling the wit to testify to certain subj matter; the appl was denied; by Discovery Elgin Edwards CR: n/a (rmi) (Entered: 01/10/2000)
- 01/14/2000 121 MINUTES: ; discovery conf-telephonic hld ; mtn by Dense-Pac to exclude consultant for Simple from attending depo is denied w/o prej to dft's moving again upon a show of disruption to the proceeding or other prej by

Discovery Elgin Edwards CR: none (krpa) (Entered: 01/18/2000)

01/14/2000 122 AMENDED STIPULATION and ORDER for protection of confidential & proprietary info: (see doc for specifics) by Judge Alicemarie H. Stotler (krpa) (Entered: 01/20/2000)

01/21/2000 123 EX PARTE APPLICATION filed by defendant Dense-Pac Microsys to clarify ord to revise sched ord ; memo of P/A Lodged prop ord (krpa) (Entered: 01/25/2000)

01/21/2000 124 DECLARATION of Dennis S Morris by defendant Dense-Pac Microsys re exparte motion to clarify ord to revise sched ord [123-1] (krpa) (Entered: 01/25/2000)

01/24/2000 125 MEMORANDUM of P/A by plaintiff Simple Technology in opposition to dft's exparte motion to clarify ord to revise sched ord [123-1] (krpa) (Entered: 01/26/2000)

01/24/2000 126 DECLARATION of Joseph S Cianfrani by plaintiff Simple Technology in suppt of pla's exparte motion to clarify ord to revise sched ord [123-1] (krpa) (Entered: 01/26/2000)

01/25/2000 127 NOTICE OF MOTION AND MOTION by plaintiff Simple Technology to dismiss any affirm def of failure to state a clm or altern to amend & suppl the cmp ; motion hearing set for 10:00 2/14/00 Lodged prop ord/1st A/C (krpa) (Entered: 01/26/2000)

01/25/2000 128 MEMORANDUM of P/A IN SUPPORT by plaintiff Simple Technology of motion to dismiss any affirm def of failure to state a clm [127-1], motion to amend & suppl the cmp [127-2] (krpa) (Entered: 01/26/2000)

01/31/2000 132 APPENDIX of other auths filed by defendant Dense-Pac Microsys cited in dft's opp to pla's mtn to dismiss or in altern to amend cmp & suppt its cmp [127-1], [127-2] (krpa) (Entered: 02/02/2000)

02/07/2000 135 APPENDIX of auth cited filed by plaintiff Simple Technology in suppt of pla's rply memo in suppt of its mtn to dismiss any affirm def clm or altern to amend the cmp & suppl its cmp [127-1], [127-2] (krpa) (Entered: 02/08/2000)

02/11/2000 136 JNT STIPULATION and ORDER to ext depo cut off dt to 2-21-00 by Judge Alicemarie H. Stotler (krpa) (Entered: 02/15/2000)

02/11/2000 137 ORDER by Judge Alicemarie H. Stotler denying exparte motion to clarify ord to revise sched ord [123-1] (krpa) (Entered: 02/15/2000)

02/11/2000 138 MINUTES: (in chambers) Ord taking under submission the pla's motion to dismiss any affirm def of failure to state a clm [127-1], & taking under submission the pla's motion to amend & suppl the cmp [127-2] by Judge Alicemarie H. Stotler CR: none (krpa) (Entered: 02/16/2000)

03/01/2000 139 NTC & REQ & ORDER of stimnt procedure selection by Judge Alicemarie H. Stotler (krpa) (Entered: 03/07/2000)

03/20/2000 140 NOTICE OF MOTION AND MOTION by defendant Dense-Pac Microsys for leave to fi suppl S/Adjud papers ; dec of Dennis S Morris ; motion hearing set for 10:00 4/10/00 Lodged prop suppl papers (krpa) (Entered: 03/22/2000)

03/20/2000 141 APPENDIX of other auths filed by defendant Dense-Pac Microsys cited in dft's ntc of mtn & mtn req lv to fi suppl s/adjud papers [140-1] (krpa) (Entered: 03/22/2000)

03/23/2000 145 MINUTES: Crt cont the PTC ; pretrial conference on 2:00 5/22/00 ; trl to remain sched for 6-6-00 by Judge Alicemarie H. Stotler CR: none (krpa) (Entered: 03/30/2000)

03/27/2000 144 APPENDIX of auths filed by plaintiff Simple Technology cited in suppt of pla's opp to dft's mtn for lv to fi suppl papers opp pla's mtn for S/J of non-infringement of US Patent no 4,956,694 [140-1] (krpa) (Entered: 03/29/2000)

03/29/2000 146 REQUEST by defendant Dense-Pac Microsys for fi docs underseal-

DENIED (krpa) (Entered: 03/30/2000)

03/30/2000 147 STIPULATION filed to retrieve docs cur fld w/ the crt in ord to prop fi docs underseal ; LDGD PROP ORD, MTN & SUPPL PAPERS (krpa) (Entered: 04/04/2000)

03/30/2000 148 NOTICE OF MOTION AND MOTION by defendant Dense-Pac Microsys for leave to fi suppl S/Adjud papers ; dec of D Morris ; motion hearing set for 10:00 4/10/00; (UNDERSEAL) (krpa) (Entered: 04/04/2000)

04/04/2000 151 ORDER by Judge Alicemarie H. Stotler granting stipulation to retrieve docs cur fld w/ the crt in ord to prop fi docs underseal [147-1] (ca) (Entered: 04/10/2000)

04/05/2000 150 MINUTES (In Chambers): crt, having rcvd read & considered dft's motion for leave to fi suppl S/Adjud papers [140-1] fins the matter appropriate for subm on the papers w/out oral arg; the matter is therefore, rmvd frm the crt's 4/10/00 cal; by Judge Alicemarie H. CR: not present (rmi) (Entered: 04/07/2000)

04/17/2000 152 NOTICE OF MOTION AND MOTION by counter-defendant Simple Technology, plaintiff Simple Technology to dismiss dft Dense-Pac's counterclms relating to the unasserted claims of US Patent No. 5,514,907 for lack of subject matter jurisdiction ; motion hearing set for 2:00 p.m., on 5/22/00. Lodged Prop Order (ca) (Entered: 04/19/2000)

04/17/2000 153 DECLARATION of Jsoeph S. Cianfrani in suppt by counter-defendant Simple Technology, plaintiff Simple Technology re motion to dismiss dft Dense-Pac's counterclms relating to the unasserted claims of US Patent No. 5,514,907 for lack of subject matter jurisdiction [152-1] (ca) (Entered: 04/19/2000)

04/17/2000 154 MEMORANDUM of PA's in support by counter-defendant Simple Technology, plaintiff Simple Technology in support of motion to dismiss dft Dense-Pac's counterclms relating to the unasserted claims of US Patent No. 5,514,907 for lack of subject matter jurisdiction [152-1] (ca) (Entered: 04/19/2000)

04/17/2000 155 REVISED by counter-defendant Simple Technology, plaintiff Simple Technology to ntc of motn & motn of pltf Simple Tech, Inc. to dism cntclms relating to the unasserted clms of US Patent No. 5,514,907 for lack of subject matter juris [152-1]; motn hrg date set for 5/8/00, at 10:00 a.m. (ca) (Entered: 04/19/2000)

04/17/2000 156 REVISED by counter-defendant Simple Technology, plaintiff Simple Technology to pltf's motn to dism [153-1] (ca) (Entered: 04/19/2000)

04/17/2000 157 REVISED by counter-defendant Simple Technology, plaintiff Simple Technology to memo of PA's in suppt of motn to dism [154-1] (ca) (Entered: 04/19/2000)

04/24/2000 158 OPPOSITION by defendant Dense-Pac Microsys to pla's motion to dismiss dft Dense-Pac's counterclms relating to the unasserted claims of US Patent No. 5,514,907 for lack of subject matter jurisdiction [152-1] (krpa) (Entered: 04/27/2000)

04/24/2000 159 ORDER & stip to fi memo of contentions of fact & law in excess of limitation prescribed by LR 10 pgs over the 25 pg limit by Judge Alicemarie H. Stotler (krpa) (Entered: 04/27/2000)

05/01/2000 160 NOTICE OF MOTION AND MOTION by plaintiff Simple Technology in limine to exclude any test or argumnt that pla allegedly cpyd a dft product design (krpa) (Entered: 05/04/2000)

05/01/2000 161 NOTICE OF MOTION AND MOTION by plaintiff Simple Technology in limine to preclude dft from pres evid or argumnt that its US Patent no 5,612,570 or its frame prod are prior are to US Patent no. 5,514,907 Lodged ord (krpa) (Entered: 05/04/2000)

05/01/2000 162 DECLARATION of Joseph F Jennings by plaintiff Simple Technology re

motion to dismiss dft Dense-Pac's counterclms relating to the unasserted claims of US Patent No. 5,514,907 for lack of subject matter jurisdiction [152-1] (krpa) (Entered: 05/04/2000)

05/01/2000 163 REPLY MEMO of P/A by plaintiff Simple Technology to pla's motion to dismiss dft Dense-Pac's counterclms relating to the unasserted claims of US Patent No. 5,514,907 for lack of subject matter jurisdiction [152-1] (krpa) (Entered: 05/04/2000)

05/01/2000 164 WITNESS list submitted by plaintiff Simple Technology (krpa) (Entered: 05/04/2000)

05/01/2000 165 APPENDIX of auths filed by plaintiff Simple Technology cited in suppt of pla's mtn in lim to exclude any test or argument that pla cpy'd a dft product design [160-1] (krpa) (Entered: 05/04/2000)

05/01/2000 166 APPENDIX of auths filed by plaintiff Simple Technology cited in suppt of pla's memo of contentions of fact & law (krpa) (Entered: 05/04/2000)

05/01/2000 167 Dft's wit narratives & time estimates for testimony (krpa) (Entered: 05/04/2000)

05/01/2000 168 Trial WITNESS list submitted by defendant Dense-Pac Microsys (krpa) (Entered: 05/04/2000)

05/01/2000 169 JNT EXHIBIT list by defendant Dense-Pac Microsys, plaintiff Simple Technology (krpa) (Entered: 05/04/2000)

05/02/2000 176 Dft's suppl wit narratives & times estaimates for testimony (krpa) (Entered: 05/04/2000)

05/03/2000 177 NOTICE OF DISCREPANCY AND ORDER to fi & process the memo of P/A in suppt of mtn in lim to preclude dft from presenting evid; dec of JF Jennings ldgd on 5-1-00 by Judge Alicemarie H. Stotler (cc: all counsel) (krpa) (Entered: 05/04/2000)

05/03/2000 178 NOTICE OF DISCREPANCY AND ORDER to fi & process the dft's memo fo contentions of fact 7 law ldgd on 5-1-00 by Judge Alicemarie H. Stotler (cc: all counsel) (krpa) (Entered: 05/04/2000)

05/03/2000 179 NOTICE OF DISCREPANCY AND ORDER to fi & process the pla's memo of contentions & fact 7 law ldgd on 5-1-00 by Judge Alicemarie H. Stotler (cc: all counsel) (krpa) (Entered: 05/04/2000)

05/03/2000 180 NOTICE OF DISCREPANCY AND ORDER to fi & process the memo of P/A; dec of JF Jennings in suppt of pla's mtn in lim to exclude any test of ldgd on 5-1-00 by Judge Alicemarie H. Stotler (cc: all counsel) (krpa) (Entered: 05/04/2000)

05/04/2000 181 MINUTES (In Chambers): granting Simples' motion to dismiss dft Dense-Pac's counterclms relating to the unasserted claims of US Patent No. 5,514,907 for lack of subject matter jurisdiction [152-1], the 5/8/00 hrg is vacated; (see doc for specifics); by Judge Alicemarie H. Stotler CR: not present (rmi) (Entered: 05/05/2000)

05/04/2000 182 ORDER by Judge Alicemarie H. Stotler granting plf's motion to dismiss dft Dense-Pac's counterclms relating to the unasserted claims of US Patent No. 5,514,907 for lack of subject matter jurisdiction [152-1]; ord that on 5/7/99, Simple Tech filed w/the crt & serve on Dense-Pac a stmt onf nonliability as to clms 1-11 and 13-15 of the '907 patent; in view of Simple Tech's stmt of nonliability, there is no case of actual controversy between the ptys w/respect to these clms of the '907 patent & this crt therefore lack subj matter juris over Dense-Pac's cntclms for decl jgm that clms 1-11 & 13-15 are invalid & not ingringed & that therefore dism; (Ent 5/5/00) (rmi) (Entered: 05/05/2000)

05/05/2000 183 NOTICE of Prior Art pursuant to 35 U.S.C. 282 by counter-defendant Simple Technology, plaintiff Simple Technology (ca) (Entered: 05/08/2000)

05/08/2000 186 NOTICE of prior art by defendant Dense-Pac Microsys (krpa) (Entered: 05/08/2000)



05/11/2000)

05/12/2000     191     ORDER & stip to ext ti to fi PTC Ord to & includ 5-15-00 by Judge Alicemarie H. Stotler (krpa) (Entered: 05/17/2000)

05/15/2000     192     SUPPLEMENTAL by defendant Dense-Pac Microsys re exht list [169-1] (krpa) (Entered: 05/17/2000)

05/16/2000     193     NOTICE OF MOTION AND MOTION by counter-defendant Simple Technology, plaintiff Simple Technology in limine to exclude dft Dense-Pac's alleged defense under 35 U.S.C. 112 Lodged Prop Order (ca) (Entered: 05/18/2000)

05/16/2000     194     MEMORANDUM OF PA'S by counter-defendant Simple Technology, plaintiff Simple Technology in support of motion in limine to exclude dft Dense-Pac's alleged defense under 35 U.S.C. 112 [193-1] (ca) (Entered: 05/18/2000)

05/16/2000     195     DECLARATION of Joseph F. Jennings in suppt by counter-defendant Simple Technology, plaintiff Simple Technology re motion in limine to exclude dft Dense-Pac's alleged defense under 35 U.S.C. 112 [193-1] (ca) (Entered: 05/18/2000)

05/16/2000     196     NOTICE OF MOTION AND MOTION by counter-claimant Dense-Pac Microsys, defendant Dense-Pac Microsys in limine to exclude reissue of US Patent 5,514,907 & evidence & testimony pertaining thereto Lodged Order (ca) (Entered: 05/18/2000)

05/16/2000     197     DECLARATION of Joanne S. Redmann in suppt by counter-claimant Dense-Pac Microsys, defendant Dense-Pac Microsys re motion in limine to exclude reissue of US Patent 5,514,907 & evidence & testimony pertaining thereto [196-1] (ca) (Entered: 05/18/2000)

05/16/2000     198     APPENDIX filed by counter-claimant Dense-Pac Microsys, defendant Dense-Pac Microsys re motion in lim to exclude evid & testimony regarding allegations of contributory infringement & induced infringement of US Patent No. 5,514,907 [196-1] (ca) (Entered: 05/18/2000)

05/16/2000     199     NOTICE RE: DOCUMENT WITHHELD FROM CASE FILE by counter-claimant Dense-Pac Microsys, defendant Dense-Pac Microsys (ca) (Entered: 05/18/2000)

05/16/2000     200     NOTICE RE DOCUMENT WITHHELD FROM CASE FILE by counter-claimant Dense-Pac Microsys, defendant Dense-Pac Microsys (ca) (Entered: 05/18/2000)

05/16/2000     201     NOTICE RE DOCUMENT WITHHELD FROM CASE FILE by counter-claimant Dense-Pac Microsys, defendant Dense-Pac Microsys (ca) (Entered: 05/18/2000)

05/16/2000     202     NOTICE RE: DOCUMENT WITHHELD FROM CASE FILE by counter-claimant Dense-Pac Microsys, defendant Dense-Pac Microsys (ca) (Entered: 05/18/2000)



05/16/2000     203     NOTICE RE: DOCUMENT WITHHELD FROM CASE FILE by counter-claimant Dense-Pac Microsys, defendant Dense-Pac Microsys (ca) (Entered: 05/18/2000)


05/16/2000     204     NOTICE RE: DOCUMENT WITHHELD FROM CASE FILE by counter-claimant Dense-Pac Microsys, defendant Dense-Pac Microsys (ca) (Entered: 05/18/2000)

05/16/2000     205     NOTICE OF MOTION AND MOTION by counter-defendant Simple Technology, plaintiff Simple Technology in limine to strike dfts ntc of prior art purs to 35 USC 282 & to exclude frm trial prior art tht was not previously noticed in compliance with 35 USC 282 Lodged Prop Ord (ca) (Entered: 05/19/2000)






05/16/2000     206     MEMORANDUM OF PA'S by counter-defendant Simple Technology, plaintiff Simple Technology in support of motion in limine to strike dfts ntc of

- prior art purs to 35 USC 282 & to exclude frm trial prior art tht was not previously noticed in compliance with 35 USC 282 [205-1] (ca) (Entered: 05/19/2000)
- 05/16/2000 207 NOTICE RE: DOCUMENT WITHHELD FROM CASE FILE by counter-defendant Simple Technology, plaintiff Simple Technology (ca) (Entered: 05/19/2000)
- 05/17/2000 208 MINUTES ORDER ADVANCING PRETRIAL CONFERENCE TO 10:00 A.M. ON MAY 22, 2000: ; pretrial conference set on 5/22/00 at 2:00 p.m., is advanced to 10:00 a.m. on 5/22/00 . The clk shall serve this minute ord on cnsl for all prtys in this actn & provide an advance cpy by telecopier by Judge Alicemarie H. Stotler CR: N/A (ca) (Entered: 05/19/2000)
- 05/17/2000 209 NOTICE OF ERRATA by plaintiff Simple Technology re pla's memo of contentions of fact & law fld 5-1-00 (krpa) (Entered: 05/23/2000)
- 05/22/2000 210 Submission of demonstrative exh used at oral argument by plaintiff Simple Technology on its motion in limine to preclude dft from pres evid or argumnt that its US Patent no 5,612,570 or its frame prod are prior are to US Patent no. 5,514,907 [161-1] (krpa) (Entered: 05/23/2000)
- 05/22/2000 234 MINUTES: Crt taking under submission the pla's motion in limine to preclude dft from pres evid or argumnt that its US no 5,612,570 or its frame prod are prior are to US Patent no. 5,514,907 [161-1], & taking under submission the pla's motion in limine to exclude any test or argumnt that pla allegedly cpyd a dft product design [160-1]; the ptc was hld ; pretrial conference held ; the cnsl are informed that the est 10 dys trl now set for 6-6-00 may be reset; the trl hrs will be from 9am to noon & from 1pm to 4pm Tuesdays thru Fridays; 6 to 8 jurors will be seated by Judge Alicemarie H. Stotler CR: Michelle McKay (krpa) (Entered: 06/05/2000)
- 05/23/2000 211 MEMORANDUM filed by plaintiff Simple Technology in opposition to dft's motion in limine to exclude any test or argumnt that pla allegedly cpyd a dft product design (krpa) (Entered: 05/24/2000)
- 05/23/2000 212 MEMORANDUM filed by plaintiff Simple Technology in opposition to motion in limine to exclude reissue of US Patent 5,514,907 & evidence & testimony pertaining thereto [196-1] (krpa) (Entered: 05/24/2000)
- 05/23/2000 216 OPPOSITION by plaintiff Simple Technology to dft's mtn in lim to exclude expert rpt & test of J Reed pertain to US Patent 5,956,694 & various refs (krpa) (Entered: 05/24/2000)
- 05/23/2000 217 NOTICE of Idg of depo transcript opf J Reed in suppt of pla's opp to dft's mtn in lim to exclude the expert rpt & test of J Reed pertain to US Patent no 5,956,694 & var refs by plaintiff Simple Technology (krpa) (Entered: 05/24/2000)
- 05/23/2000 218 NOTICE of Idg of depo transc of R Knudsen in suppt of pla's opp to dft's mtn in lim to exclude the expert rpts & test of R Knudsen re damages by plaintiff Simple Technology (krpa) (Entered: 05/24/2000)
- 05/23/2000 219 APPENDIX of other auths cited in dft's obj filed by defendant Dense-Pac Microsys to pla's mtn in lim to strike dft's ntc of prior art & excl trl prior art that was not prev ntcd in compliance [205-1] (krpa) (Entered: 05/24/2000)
- 05/23/2000 220 OBJECTIONS filed by defendant Dense-Pac Microsys to pla's motion in limine to exclude dft Dense-Pac's alleged defense under 35 U.S.C. 112 [193-1] (krpa) (Entered: 05/24/2000)
- 05/25/2000 223 Resp to dft's suppl br in opp by plaintiff Simple Technology to pla's motion in limine to preclude dft from pres evid or argumnt that its US Patent no 5,612,570 or its prod are prior are to US Patent no. 5,514,907 [161-1] (krpa) (Entered: 05/30/2000)
- 05/30/2000 225 Rply memo by plaintiff Simple Technology in suppt of pla's motion in limine to strike dfts ntc of prior art purs to 35 USC 282 to exclude frm trial prior art tht was not previously noticed in compliance with 35 USC 282 [205-1] (krpa)

- (Entered: 06/01/2000)
- 05/30/2000 226 Rply memo by plaintiff Simple Technology in suppt of its motion in limine to exclude dft Dense-Pac's alleged defense under 35 U.S.C. 112 [193-1] (krpa) (Entered: 06/01/2000)
- 05/30/2000 232 APPENDIX of other auths filed by defendant Dense-Pac Microsys cited in dft's rply to pla's opp to dft's mtn in limine to exclude the expert rpt & test of R Knudsen re damages [196-1] (krpa) (Entered: 06/01/2000)
- 05/30/2000 233 APPENDIX of other auths filed by defendant Dense-Pac Microsys cited in dft's rply to pla's opp to mtn in lim to exclude reissue of US Patent 5,514,907 & evid & test pertaining thereto (krpa) (Entered: 06/01/2000)
- 06/01/2000 224 MINUTES: (in chams) Crt resetting hearing on the pend motions in limine [196-1] 10:00 2/13/01 [193-1] [205-1] [161-1] [160-1]; & cont trl pres set for 6-6-00 at 10am ; jury trial set on 10:00 2/13/01 by Judge Alicemarie H. Stotler CR: none (krpa) (Entered: 06/01/2000)
- 06/13/2000 235 PROOF OF SERVICE by plaintiff Simple Technology on 6/13/00 of pla's opp to dft's mtn in lim to exclude the expert rpt & test of J Reed pertaining to US Patent no. 5,956,694 & var refs (krpa) (Entered: 06/15/2000)
- 07/28/2000 236 EX PARTE APPLICATION filed by defendant Dense-Pac Microsys, counter-defendant Dense-Pac Microsys to modify amend protective ord for protection of confidential & proprietary info filed 1/14/00 ; memo of PA; Lodged prop ord (rmi) (Entered: 08/01/2000)
- 07/28/2000 238 DECLARATION of Steven S Spitz by defendant, counter-claimant Dense-Pac Microsys in suppt of exparte appl to modify amend protective ord for protection of confidential & proprietary info filed 1/14/00 [236-1] (ks) Modified on 08/31/2000 (Entered: 08/09/2000)
- 07/31/2000  237 ORDER by Judge Alicemarie H. Stotler denying w/out prej to proceeding by noticed motion, dft, & cntclm's exparte motion to modify amend protective ord for protection of confidential & proprietary info filed 1/14/00, [236-1] (rmi) (Entered: 08/01/2000)
- 08/23/2000 241 NOTICE OF ASSOCIATION of Counsel for counter-claimant Dense-Pac Microsys, defendant Dense-Pac Microsys by attorney Richard J Grabowski, Gregory E Woodard (mrgo) (Entered: 08/28/2000)
- 10/30/2000  242 MINUTES: (In Chambers) jury trial cont to 10:00 3/27/01 setting hearing on motion in limine to exclude reissue of US Patent 5,514,907 & evidence & testimony pertaining thereto [196-1] 11:30 2/5/01, setting hearing on motion in limine to exclude dft Dense-Pac's alleged defense under 35 U.S.C. 112 [193-1] 11:30 2/5/01, setting hearing on motion in limine to strike dfts ntc of prior art purs to 35 USC 282 & to exclude frm trial prior art tht was not previously noticed in compliance with 35 USC 282 [205-1] 11:30 2/5/01, setting hearing on motion in limine to preclude dft from pres evid or argumnt that its US Patent no 5,612,570 or its frame are prior are to US Patent no. 5,514,907 [161-1] 11:30 2/5/01, setting hearing on motion in limine to exclude any test or argumnt that pla allegedly cpyd a dft product [160-1] 11:30 2/5/01. The ord of subm of certain motions in lim [234-2] is vac. Any mots in lim not already on file must be filed & svd NLT 12/1/00. Any opp must be filed & svd NLT 1/22/01 by Judge Alicemarie H. Stotler CR: not present (kh) (Entered: 10/31/2000)
- 11/03/2000 243 NOTICE re: document withheld from case file by defendant Dense-Pac Microsys, counter-claimant Dense-Pac Microsys (mt) (Entered: 11/07/2000)
- 11/03/2000 244 NOTICE re: document withheld from case file by defendant Dense-Pac Microsys, counter-claimant Dense-Pac Microsys (mt) (Entered: 11/07/2000)
- 11/13/2000 245 Notice of Relevant Develop by counter-defendant Simple Technology, plaintiff Simple Technology concerning dft's pend motion for summary adjudication of INVALID OF CLMS 1-15 of US Patent no. 5,514,907 [17-1] (rmi) (Entered: 11/15/2000)

- 11/13/2000 246 APPENDIX OF AUTH CITED IN SUPPORT by counter-defendant Simple Technology, plaintiff Simple Technology of exparte motion to modify amend protective ord for protection of confidential & proprietary info filed 1/14/00 [236-1] (rmi) (Entered: 11/15/2000)
- 11/13/2000 247 NOTICE re doc w/held frm case file (rmi) (Entered: 11/15/2000)
- 11/13/2000 248 NOTICE re doc w/held frm case file (rmi) (Entered: 11/15/2000)
- 11/20/2000 249 REPLY by defendant Dense-Pac Microsys, counter-claimant Dense-Pac Microsys in suppt of exparte motion to modify amended protective order of 1/14/00 [236-1] (mt) (Entered: 11/28/2000)
- 11/27/2000 254 MINUTES OF MOTN HRG before Judge Alicemarie H. Stotler: Crt's tentative ruling issd to cnsl--a copy is attchd to this MO; Crt rules in accordance w/tentative ruling. Dft & cntclmnt Dense-Pac Microsystems Inc's motn to modify amended protective order for protection of confidential & proprietary info fld 1/14/00 [243-1] is denied. CR: K Haaland (mt) (Entered: 12/12/2000)
- 11/29/2000 250 NOTICE OF MOTION AND MOTION by plaintiff Simple Technology, counter-defendant Simple Technology for leave to suppl its cmp ; motion hearing set for 10:00 1/8/01 Lodged Ord & 2nd A/C (kh) (Entered: 12/09/2000)
- 11/29/2000 251 MEMORANDUM OF P/A IN SUPPORT by plaintiff Simple Technology, counter-defendant Simple Technology of motion for leave to suppl its cmp [250-1] (kh) (Entered: 12/09/2000)
- 11/29/2000 252 DECLARATION of Joseph F Jennings by plaintiff Simple Technology, counter-defendant Simple Technology in suppt of motion for leave to suppl its cmp [250-1] (kh) (Entered: 12/09/2000)
- 11/29/2000 253 APPENDIX filed by plaintiff Simple Technology, counter-defendant Simple Technology in suppt of mot for lv to suppl its cmp [250-1] (kh) (Entered: 12/09/2000)
- 12/18/2000 255 NOTICE OF MOTION AND MOTION by defendant Dense-Pac Microsys, counter-claimant Dense-Pac Microsys for leave to amd its cntcmp ; motion hearing set for 10:00 1/8/01 Lodged Prop Ord; 1st Amd Cntclm (kh) (Entered: 12/26/2000)
- 12/18/2000 256 NOTICE re: document withheld from case file (kh) (Entered: 12/26/2000)
- 12/18/2000 257 NOTICE re: document withheld from case file (kh) (Entered: 12/26/2000)
- 12/18/2000 258 OPPOSITION by defendant Dense-Pac Microsys, counter-claimant Dense-Pac Microsys to motion for leave to suppl its cmp [250-1] (kh) (Entered: 12/26/2000)
- 12/18/2000 259 DECLARATION of Richard J Grabowski by defendant Dense-Pac Microsys, counter-claimant Dense-Pac Microsys in suppt of opp to motion for leave to suppl its cmp [250-1] (kh) (Entered: 12/26/2000)
- 12/26/2000 263 APPENDIX filed in suppt of plfs memo of p/a in oppos to Dense-Pac's mot to amd its countercomplaint by plaintiff Simple Technology (am) (Entered: 01/05/2001)
- 12/28/2000 265 REPLY by plaintiff Simple Technology memo of p/a in suppt of its mot for lv to suppl its complaint [250-1] (am) (Entered: 01/08/2001)
- 12/28/2000 266 APPENDIX filed by plaintiff Simple Technology of auths in suppt of plfs reply memo of p/a in suppt of its mot for lv to suppl its complt[265-1] (am) (Entered: 01/08/2001)
- 12/29/2000 260 NOTICE Re doc withheld from case file (ad) (Entered: 01/05/2001)
- 12/29/2000 261 NOTICE Re doc withheld from case file (ad) (Entered: 01/05/2001)
- 01/02/2001  262 MINUTES: (In Chambers): Plf's motion for leave to suppl its cmp [250-1] is denied; the Crt Ords that all operative pldgs & the propsd PTC Ord shall be

deemed to refer to Plf's US Patent No. Re.36,916 ('916) whenever & wherever there is reference to the '907 patent. Similarly, the pending mots in limine shall be deemed to refer to claim 12 of the '916 patent rather than the '907 patent; Dft's motion for leave to amd its cntcmp [255-1] is stricken; the reply sealed doc [260-1] fld 12/29/00 is also stricken; (see doc for specifics); by Judge Alicemarie H. Stotler; CR: Not Present (ad) (Entered: 01/05/2001)

- 01/03/2001 267 APPLICATION AND ORDER of Non-Resident Attorney to Appear in a Specific Case filed for defendant Dense-Pac Microsys by Kenneth R Adamo. Designating Richard J Grabowski as local counsel. Approved by Judge Alicemarie H. Stotler. (Fee pd) (mt) (Entered: 01/09/2001)
- 01/17/2001 268 RECEIPT OF TRANSCRIPT of proceedings for the following date(s): 5/22/00 (Re: ) CR: Michell McKay (ghap) (Entered: 01/19/2001)
- 01/17/2001 -- TRANSCRIPT filed for proceedings held on 5/22/00 (ghap) (Entered: 01/19/2001)
- 01/22/2001 -- PLACED IN FILE - NOT USED: prop ord granting cntclmnts mot for lv to amd its cntcmp (kh) (Entered: 01/25/2001)
- 01/22/2001 -- PLACED IN FILE - NOT USED: prop 1st amd cntcmp (kh) (Entered: 01/25/2001)
- 01/22/2001 -- PLACED IN FILE - NOT USED: prop ord granting plf's mto for lv to supplement its cmp (kh) (Entered: 01/25/2001)
- 01/22/2001 -- PLACED IN FILE - NOT USED: prop 2nd suppl cmp for patent infringement (kh) (Entered: 01/25/2001)
- 02/01/2001  269 MINUTES (IN CHAMBERS) by Judge Alicemarie H. Stotler: The following in limine motns are set for hrg on the crt's 2/5/01 cal: (see doc for specifics). On the crt's own motn, hrg contd to 2/9/01 at 1:30pm. CR: Not Present (mt) (Entered: 02/05/2001)
- 02/06/2001 274 RESPONSE by plaintiff Simple Technology, counter-defendant Simple Technology to Dense-Pac's letter to the crt of 2/5/01 (mt) (Entered: 02/12/2001)
- 02/07/2001  270 MINUTES: (In Chambers): NOTICE OF FILING OF PTC ORD: Crt has modified, signed & filed the ptys' prop PTC ord which was ldgd 5/15/00 by Judge Alicemarie H. Stotler CR: not present (kh) (Entered: 02/08/2001)
- 02/07/2001  271 MINUTES (IN CHAMBERS) by Judge Alicemarie H. Stotler: Rulings: (1) denying dft's motion for summary jgm of invalidity of '916 patent; (2) denying dft's motion for summary jgm of non-infringement of '916 patent; (3) denying plf's motion for partial summary judgment of literal infringement of clm 12 of '916 patent; (4) granting plf/cntdft's motion for summary judgment of non-infringement of dft/cntclm's '694 patent; (5) denying dft Dense-Pac Microsystem Inc's motn for leave to file suppl papers in opp to plf's motn for summ jgm of non-infringement of '694 patent; (6) denying dft's motion to exclude John Reed's opinion re '694 patent; (7) denying plf's motn to dismiss any affirmative defense or to amend the cmp; (8) denying plf's motn to suppl cmp. (see doc for specifics) CR: Not Present (SEND) (mt) (Entered: 02/08/2001)
- 02/07/2001  272 ORDER by Judge Alicemarie H. Stotler (1) denying plf's motion to dismiss any affirmative defense of failure to state a clm or, in the alt, to amend the cmp (2) denying plf's motion to suppl cmp (see doc for specifics) (SEND) (mt) (Entered: 02/08/2001)
- 02/07/2001  273 ORDER by Judge Alicemarie H. Stotler (1) granting plf/cntdfts' motion for summary judgment of non-infringement of '694 patent; (2) denying dft/cntclm's motion for leave to file suppl papers opposing motn for S/J of non-infringement of '694 patent; & (3) denying dft's motn to exclude John Reed's opinion as to '694 patent (SEND) (mt) (Entered: 02/08/2001)
- 02/07/2001 275 STATEMENT of U/F & conclusions of law by plaintiff Simple Technology,

counter-defendant Simple Technology in suppt of its motion for summary judgment of non-infringement of US patent #4,956,694 [57-1] (mt) (Entered: 02/12/2001)

02/07/2001 276 PRE-TRIAL CONFERENCE ORDER approved by Judge Alicemarie H. Stotler (cc: all counsel) (kh) (Entered: 02/14/2001)

02/08/2001 277 MINUTES: (In Chambers) NTC TO CNSL-LR 2.10: ltr rtnd dated 2/5/01 by Judge Alicemarie H. Stotler CR: not present (kh) (Entered: 02/14/2001)

02/08/2001 278 NOTICE OF WITHDRAWAL by defendant Dense-Pac Microsys, counter-claimant Dense-Pac Microsys withdrawing motion in limine to exclude reissue of US Patent 5,514,907 & evidence & testimony pertaining thereto [196-1] (cc: all counsel) (kh) (Entered: 02/14/2001)

02/09/2001 279 ORDER by Judge Alicemarie H. Stotler granting motion in limine to exclude dft Dense-Pac's alleged defense under 35 U.S.C. 112 [193-1] (kh) (Entered: 02/14/2001)

02/09/2001 280 ORDER by Judge Alicemarie H. Stotler granting motion in limine to strike dfts ntc of prior art purs to 35 USC 282 & to exclude frm trial prior art tht was not previously noticed in compliance with 35 USC 282 [205-1] (kh) (Entered: 02/14/2001)

02/09/2001 281 DENIED ORDER by Judge Alicemarie H. Stotler denying motion in limine to exclude reissue of US Patent 5,514,907 & evidence & testimony pertaining thereto [196-1] (kh) (Entered: 02/14/2001)

02/09/2001 -- PLACED IN FILE - NOT USED: prop ord granting plf's mot for partial s/j of literal infringement of clm 12 of the US patent #5,514,907 (kh) (Entered: 02/14/2001)

02/09/2001 -- PLACED IN FILE - NOT USED: prop ord granting dft Dense-Pac's mot for summ adj of invalidity of clms 1-15 and dism plf Simple Tech's patent infringement clm (kh) (Entered: 02/14/2001)

02/09/2001 -- PLACED IN FILE - NOT USED: stmt of uncontroverted facts & conclus of law in suppt of dft Dense-Pac's mot for summ adj of non-infringement of clms 1-15 of US patent #5,516,907 (kh) (Entered: 02/14/2001)

02/09/2001 -- PLACED IN FILE - NOT USED: prop ord granting dft Dense-Pac's mot for sum adj of non-infringement of clms 1-15 of US patent 5,515,907 & dism plf Simple Tech's patent infringement clm (kh) (Entered: 02/14/2001)

02/09/2001 -- PLACED IN FILE - NOT USED: stmt of uncontrovd facts & conclus of law in suppt of dft Dense-Pac's mot for sum adj of invalidity of clms 1-15 of US patent #5,514,907 (kh) (Entered: 02/14/2001)

02/09/2001 -- NOTICE re: document withheld from case file (kh) (Entered: 02/14/2001)

02/09/2001 -- NOTICE re: document withheld from case file (kh) (Entered: 02/14/2001)

02/09/2001 -- NOTICE re: document withheld from case file (kh) (Entered: 02/14/2001)

02/09/2001 -- NOTICE re: document withheld from case file (kh) (Entered: 02/14/2001)

02/09/2001 -- PLACED IN FILE - NOT USED: prop ord den plf/cntdft Simple Tech's mot for s/j of non-infringement of US patent #4,956,694 (kh) (Entered: 02/14/2001)

02/09/2001 282 ORDER by Judge Alicemarie H. Stotler deny Defendant and counterclaimant Dense-Pac Microsystems Incs Motion in Limine to exclude the expert report and all testimony of Robert Knudsen regarding damages [201-1] (csb) (Entered: 07/25/2003)

02/09/2001 283 ORDER by Judge Alicemarie H. Stotler denying defendant and counterclaimant Dense-Pac Microsystems Incs motion in limine to exclude evidence and testimony regarding allegations of contributory infringement and inducing infringement of US Patent No 5,514,907 [199-1] (csb) (Entered: 07/25/2003)

02/12/2001 -- PLACED IN FILE - NOT USED: prop 1st amd & suppl cmp for patent

infringement (kh) (Entered: 02/14/2001)

02/12/2001 -- PLACED IN FILE - NOT USED: prop ord granting plf/cntdft's mot to (1) dism, or in the alt to amd the cmp, & (2) suppl its cmp (kh) (Entered: 02/14/2001)

02/12/2001 -- PLACED IN FILE - NOT USED: prop ord granting plf/cntdft's mot for s/j of non-infringement of US patent #4,956,694 (kh) (Entered: 02/14/2001)

02/12/2001 -- PLACED IN FILE - NOT USED: prop ord granting dft/cntclmnt Dense-Pac's Microsystems mot in lim to exclude the expert testimony of John A Reed pertaining to US patent #5,956,694 & various references (kh) (Entered: 02/14/2001)

02/20/2001 284 NOTICE re doc w/held frm case file (rmi) (Entered: 02/22/2001)

02/20/2001 285 NOTICE re doc w/held frm case file (rmi) (Entered: 02/22/2001)

02/20/2001 286 NOTICE re doc w/held frm case file (rmi) (Entered: 02/22/2001)

02/23/2001 288 NOTICE OF MOTION AND MOTION by defendant Dense-Pac Microsys for partial summary judgment of noninfringement under the doctrine of equivalents of claim 12 of US reissue patent #036,916 in light of Fed Circuit's Festo Decision ; motion hearing set for 10:00 3/27/01 (mt) (Entered: 03/02/2001)

02/23/2001 289 1ST AMENDED NOTICE OF PRIOR ART PURSUANT TO 35 USA 282 by defendant Dense-Pac Microsys, counter-defendant Dense-Pac Microsys (mt) (Entered: 03/02/2001)

02/23/2001 290 NOTICE re: document withheld from case file by defendant Dense-Pac Microsys, counter-defendant Dense-Pac Microsys (mt) (Entered: 03/02/2001)

02/23/2001 291 NOTICE re: document withheld from case file by defendant Dense-Pac Microsys, counter-defendant Dense-Pac Microsys (mt) (Entered: 03/02/2001)

02/23/2001 292 NOTICE re: document withheld from case file by defendant Dense-Pac Microsys, counter-defendant Dense-Pac Microsys (mt) (Entered: 03/02/2001)

02/28/2001 287 NOTICE OF DISCREPANCY AND ORDER by Judge Alicemarie H. Stotler that docs entitled ntc/mot for part S/J , 1st amd ntc, prop ord, jgm, memo P/A, smtm of u/w, decl of Thomas R Malcolm recvd 2/23/01 are ord to be filed & processed (mt) (Entered: 03/02/2001)

03/02/2001 293 Appendix of other auth by plaintiff Simple Technology, counter-defendant Simple Technology cited in suppt of plf's rply to Dense-Pac's supp opp to Simple Tech's motion in limine to exclude any test or argumnt that pla allegedly cpyd a dft product design [160-1] (rmi) (Entered: 03/07/2001)

03/02/2001 294 NOTICE re doc w/held frm case file (rmi) (Entered: 03/07/2001)

03/09/2001 295 Appendix of other auth by plaintiff Simple Technology, counter-defendant Simple Technology cited in suppt of plf, Simple Tech's opp to dft, Dense-Pac's motion for partial summary judgment of noninfringement under the doctrine of equivalents of claim 12 of US reissue patent #036,916 in light of Fed Circuit's Festo Decision [288-1] (rmi) (Entered: 03/13/2001)

03/09/2001 296 NOTICE re doc w/held frm case file (rmi) (Entered: 03/13/2001)

03/09/2001 297 NOTICE of doc w/held frm case file (rmi) (Entered: 03/13/2001)

03/09/2001 298 NOTICE re doc w/held frm case file (rmi) (Entered: 03/13/2001)

03/16/2001 305 NOTICE re: document withheld from case file by defendant Dense-Pac Microsys, counter-claimant Dense-Pac Microsys (mt) (Entered: 03/23/2001)

03/16/2001 306 NOTICE re: document withheld from case file by defendant Dense-Pac Microsys, counter-claimant Dense-Pac Microsys (mt) (Entered: 03/23/2001)

03/20/2001 299 PROPOSED SPECIAL VERDICT FORM filed by defendant Dense-Pac

Microsys, counter-defendant Dense-Pac Microsys (mt) (Entered: 03/23/2001)

03/20/2001 300 PROPOSED JURY INSTRUCTIONS filed by defendant Dense-Pac Microsys, counter-defendant Dense-Pac Microsys (mt) (Entered: 03/23/2001)


03/20/2001 301 PROPOSED JURY QUESTIONNAIRE AND SPECIAL QUESTIONS REQUESTED to be put to prospective jurors on voir dire filed by plaintiff Simple Technology, counter-defendant Simple Technology (mt) (Entered: 03/23/2001)


03/20/2001 302 PROPOSED JURY INSTRUCTIONS filed by plaintiff Simple Technology, counter-defendant Simple Technology (mt) (Entered: 03/23/2001)

03/20/2001 303 PROPOSED VERDICT FORM filed by plaintiff Simple Technology, counter-defendant Simple Technology (mt) (Entered: 03/23/2001)

03/20/2001 304 PROPOSED JURY INSTRUCTIONS filed by plaintiff Simple Technology, counter-defendant Simple Technology (mt) (Entered: 03/23/2001)


03/23/2001 309 MINUTES OF MOTION HEARING by Judge Alicemarie H. Stotler: Crt indicates to cnsl that it is inclined to grant dft's motion for partial summary judgment [288-1]. Motn is taken under submission. Trial date of 3/27/01 vacated. CR: K Haaland (mt) (Entered: 03/30/2001)

03/29/2001  307 MEMO ORDER by Judge Alicemarie H. Stotler granting dft's motion for partial summary judgment [288-1] and order for entry of jgm (ENT 3/29/01) (SEND/NTC) (mt) (Entered: 03/29/2001)

03/29/2001  308 JUDGMENT AND ORDER by Judge Alicemarie H. Stotler: It is ord & adjudged that plf take nothing on its cmp, that dft take nothing on its cntclm & that dft shall as the prevailing pty, recover its costs of suit; terminating case (MD JS-6) (ENT 3/29/01) (SEND/NTC) (mt) (Entered: 03/29/2001)

03/29/2001 -- PLACED IN FILE - NOT USED jgm (rmi) (Entered: 04/04/2001)

03/29/2001 -- PLACED IN FILE - NOT USED prop ord gr mot for partial summ jgm (rmi) (Entered: 04/04/2001)

03/29/2001  311 STATEMENT OF UNCONTROVERED FACTS & CONCLUSIONS OF LAW/ORDER by Judge Alicemarie H. Stotler in suppt of its mot for partial summ jgm of non-infring of clm 12 of U.S. reissue patent #36,916 in light of Fed Circuit's festo decision (seal) (Entered: 04/11/2001)

04/03/2001 310 NOTICE OF APPEAL by plaintiff/ counter-defendant Simple Technology to Fed Cir from Dist. Court jgm & ord fld 3/29/01 [308-2],ord fld 3/29/01 [307-1],ord fld 2/7/01 [272-1],min ord fld 2/27/01 [271-1] (cc: Knobbe,Martens,Olson & Bear;Jones,Day,Reavis & Pogue; Riordan & McKenzie ) Fee: Billed (ghap) (Entered: 04/05/2001)

04/09/2001 312 NOTICE OF MOTION AND MOTION by plaintiff Simple Technology to vacate the award of costs to Dft Dense-Pac ; motion hearing set for 10:00am on 6/4/01. Lodged propsd ord. (ts) (Entered: 04/16/2001)

04/09/2001 313 DECLARATION of Joseph F Jennings by plaintiff Simple Technology in support of motion to vacate the award of costs to Dft Dense-Pac [312-1] (ts) (Entered: 04/16/2001)

04/09/2001 314 MEMORANDUM OF PA IN SUPPORT by plaintiff Simple Technology of motion to vacate the award of costs to Dft Dense-Pac [312-1]. (ts) (Entered: 04/16/2001)

04/13/2001 315 NOTICT OF APPLICATION by defendant Dense-Pac Microsys to the clerk to tax costs (csb) (Entered: 04/17/2001)

04/13/2001 316 BILL OF COSTS RETURNABLE submitted by defendant Dense-Pac Microsys re [308-2] bill of cost hearing set on 11:00 5/4/01 (csb) (Entered: 04/17/2001)

04/16/2001 -- Appeal Fee Paid re [310-1] fee in amount of \$ 105.00. (weap) (Entered: 04/16/2001)



04/16/2001)

04/24/2001 317 NOTIFICATION by Circuit Court of Appellate Docket Number appeal [310-1] 01-1310. (fvap) (Entered: 04/25/2001)

04/24/2001 318 MEMORANDUM of PA IN SUPPORT by counter-defendant Simple Technology, plaintiff Simple Technology of plf, Simple Tech's opp to dft, Dense-Pac's bill of costs (rmi) (Entered: 04/30/2001)

04/24/2001 332 MEMORANDUM by plaintiff Simple Technology in support of plas opp to dfts Dense Pacs bill of costs [316-1] (csb) (Entered: 06/19/2001)

04/30/2001 323 Transcript purchase order for dates: 6/21/99 & 3/23/01 CR: Kathleen Haaland. (ghap) (Entered: 05/07/2001)

05/01/2001 319 SUPPL DECLARATION of Thomas R Malcolm by defendant Dense-Pac Microsys in suppt of dft, Dense-Pac Microsys Inc's appl to the clk to tax cost [315-1] (rmi) (Entered: 05/03/2001)

05/01/2001 320 APPENDIX OF AUTH IN SUPPT OF REPLY MEMORANDUM by defendant Dense-Pac Microsys in support of bill of costs [316-1] (rmi) (Entered: 05/03/2001)

05/01/2001 321 DECLARATION of Ted Bruce by defendant Dense-Pac Microsys in suppt of dft, Dense-Pac Microsys Inc's appl to the clk to tax costs [315-1] (rmi) (Entered: 05/03/2001)

05/01/2001 322 REPLY memo of PA by defendant Dense-Pac Microsys in suppt of dft, Dense Pack Microsys Inc's bill of costs [316-1] (rmi) (Entered: 05/03/2001)

05/11/2001 324 NOTICE OF MOTION AND MOTION by counter-claimant Dense-Pac Microsys, defendant Dense-Pac Microsys to withdraw atty ; motion hearing set for 10:00 6/25/01 Lodged prop ord (rmi) (Entered: 05/17/2001)


05/14/2001 325 AMENDED NOTICE by counter-claimant Dense-Pac Microsys, defendant Dense-Pac Microsys of hearing setting hearing on motion to withdraw atty [324-1] 10:00 6/25/01 (rmi) (Entered: 05/18/2001)

05/21/2001 326 MEMO OF PA IN OPPOSITION by defendant Dense-Pac Microsys to plf, Simple Tech Inc's motion to vacate the award of costs to Dft Dense-Pac [312-1] (rmi) (Entered: 05/29/2001)

05/21/2001 327 NOTICE re doc w/held frm case file; decl of Thomas R. Malcolm in suppt of opp to plf smot to vac crt's award of costs to dft (rmi) (Entered: 05/29/2001)

05/25/2001 328 REPLY memo of PA by counter-defendant Simple Technology, plaintiff Simple Technology in suppt of motion to vacate the award of costs to Dft Dense-Pac [312-1] (rmi) (Entered: 05/30/2001)

05/25/2001 329 NOTICE re doc w/held frm case file; suppl decl of Joseph F. Jennings (rmi) (Entered: 05/30/2001)

06/05/2001  330 ORDER by Judge Alicemarie H. Stotler denying plf's motion to vacate the award of costs to Dft Dense-Pac [312-1] (Ent 6/6/01) (rmi) (Entered: 06/06/2001)






06/05/2001 -- PLACED IN FILE - NOT USED prop ord (rmi) (Entered: 06/11/2001)





06/07/2001 331 STATEMENT non-opp by plaintiff Simple Technology, counter-defendant Simple Technology re motion to withdraw atty [324-1] (rmi) (Entered: 06/11/2001)


06/15/2001 334 RESUBMISSION OF APPLICATION by defendant Dense-Pac Microsys to the clk to tax costs (rmi) (Entered: 06/19/2001)

06/18/2001 333 DECLARATION of Ted Bruce by defendant Dense-Pac Microsys in suppt of dft, Dense-Pac Microsys Inc's amend to its bill of costs (rmi) (Entered: 06/19/2001)

06/19/2001 -- COSTS taxed for defendant Dense-Pac Microsys in the amount of \$ 23,191.62 against plaintiff(cc: all counsel); bill of cost hearing held (csb) (Entered: 06/19/2001)

- 06/20/2001  335 MINUTES (In Chambers): denying movant Riordan & McKinzie's motion to withdraw atty [324-1] w/out prej & rmvs the matter frm crt's 6/25/01 hrg cal; by Judge Alicemarie H. Stotler CR: not present (rmi) (Entered: 06/21/2001)
- 08/22/2001 336 NOTICE OF MOTION AND MOTION by defendant Dense-Pac Microsys, counter-claimant Dense-Pac Microsys to withdraw as cnsl ; motion hearing set for 10:00 10/22/01 Lodged prop ord (rmi) (Entered: 08/27/2001)
- 09/04/2001 337 STATEMENT Non-opposition by plaintiff Simple Technology, counter-defendant Simple Technology re Riordan & McKinzie's motion to withdraw as cnsl [336-1] (rmi) (Entered: 09/08/2001)
- 10/15/2001 339 REPLY by counter-defendant Dense-Pac Microsys, counter-claimant Dense-Pac Microsys, defendant Dense-Pac Microsys in support of motion to withdraw as cnsl [336-1] (ts) (Entered: 10/22/2001)
- 10/16/2001  338 MINUTES (In Chambers) by Judge Alicemarie H. Stotler: Ruling granting movant Riordan & McKinzie's motion to withdraw as cnsl [336-1] (see doc for specifics) CR: Not Present (psend) (mt) (Entered: 10/18/2001)
- 10/16/2001 340 ORDER by Judge Alicemarie H. Stotler granting Riordan & McKinzie's motion to withdraw as cnsl [336-1] (rmi) (Entered: 10/26/2001)
- 11/02/2001 -- WRIT of execution Issued (rmi) (Entered: 11/07/2001)
- 11/02/2001 341 AFFIDAVIT AND REQUEST filed by defendant Dense-Pac Microsys, counter-claimant Dense-Pac Microsys for issuance of writ of execution (rmi) (Entered: 11/17/2001)
- 03/11/2002 -- LODGED CC Order from Fed C/A appeal is affirmed. (FWD TO CRD) (01-1310) (fvap) (Entered: 03/15/2002)
- 03/20/2002  342 MINUTES OF FILING & SPREADING MANDATE (IN CHAMBERS) by Judge Alicemarie H. Stotler: The Crt Ords that the mandate of the US Crt of Appeals for the Federal Circ affirming the appeal is hereby fld & spread upon the minutes of this USDC; CR: (not present) (mg) (Entered: 03/26/2002)
- 03/20/2002 343 CERTIFIED COPY of judgment from US Crt of Appeals for the Fed Circ affirming the decision of the US District Court [310-1] (mg) (Entered: 03/26/2002)
- 04/04/2002  344 MINUTES (In Chambers): the crt ord that the mandate of the U.S. crt of appeals for the fed circuit: affirming the record reflects that costs of the prevail pty were taxed by the U.S. crt of appeals for the fed circuite in the amt of \$480.00 is hereby filed & spread upon the minutes of this USDC; by Judge Alicemarie H. Stotler CR: not present (rmi) (Entered: 04/08/2002)
- 04/04/2002  345 CERTIFIED COPY of judgment from USCA affirming the the jgm on appeal (rmi) (Entered: 04/08/2002)
- 09/03/2002 346 NOTICE OF MOTION AND MOTION by defendant & counter-claimant Dense-Pac Microsys to modify amended protective order to allow for use of docs & info in 2nd patent infringement action between the same parties ; motion hearing set for 10:00 10/21/02 (mt) (Entered: 09/06/2002)
- 09/03/2002 347 JOINT STIPULATION filed in connection with Dense-Pac Microsystems Inc's motion to modify amended protective order to allow for use of docs & info in 2nd patent infringement action between the same parties [346-1] (mt) (Entered: 09/06/2002)
- 09/16/2002 348 NOTICE OF WITHDRAWAL by defendant & counter-claimant Dense-Pac Microsys withdrawing motion to modify amended protective order to allow for use of docs & info in 2nd patent infringement action between the same parties [346-1] (mt) (Entered: 09/19/2002)
- 10/18/2002 -- PLACED IN FILE - NOT USED lodged 2nd amended [proposed] ord for protection of confidential and proprietary info (mt) (Entered: 10/21/2002)
- 03/25/2003 -- LODGED Certified Copy of Federal Circuit judgment; appeal from USDC for Central District of California having been heard and considered is ordered

- vacated and remanded. (01-1310) (fvap) (Entered: 03/25/2003)
- 03/25/2003 -- LODGED CC Fed.Circuit CCA JUDGMENT is vacated and remanded. (FWD TO CRD)(01-1310) (ghap) (Entered: 03/28/2003)
- 03/28/2003  349 MINUTES of filing and spreading mandate (In Chambers) by Judge Alicemarie H. Stotler: Court orders that the mandate of the Court of Appeals for the Federal Circuit: vacating and remanding the appeal is hereby filed and spread upon the minutes of this US District Court; Case reopened (MD JS-5) ; It is ordered that this case be placed on calendar for a status conference on 4/28/03 at 2:00pm. Further ordered that counsel file a joint status report at least 10 days before the date of the status conference. Filing directly in Southern Division is required; (see document for further specifics) CR: Not Present (mt) (Entered: 03/31/2003)
- 03/28/2003  350 CERTIFIED COPY of judgment from USCA: This cause having been heard and considered, it is ordered and adjudged: Vacated and remanded (mt) (Entered: 03/31/2003)
- 04/18/2003 351 NOTICE OF MOTION AND MOTION by defendant Dense-Pac Microsys to enforce agreement to dismiss ; motion hearing set for 10:00 5/19/03; Lodged proposed order (mt) (Entered: 04/21/2003)
- 04/18/2003 352 JOINT STATUS REPORT (mt) (Entered: 04/21/2003)
- 04/28/2003  353 MINUTES status conference re: Federal Circuit Mandate held by Judge Alicemarie H. Stotler: In light of the Federal Circuit's remand, the Court orders that defendant file its motion for summary judgment regarding applicability of Festo II, and applicability of prior proceedings, no later than 6/30/03; and that defendant shall schedule a hearing date which permits two weeks for plaintiff to file its opposition, two weeks for defendant to file its reply, and two weeks for plaintiff to file its sur-reply. Court further orders a further scheduling conference to be held on 5/19/03, in conjunction with defendant's pending motion to dismiss and at which time the Court will also address repayment of costs. CR: Kathleen Haaland (mt) (Entered: 04/30/2003)
- 05/05/2003 354 OPPOSITION by plaintiff Simple Technology to defendant Dense-Pac Microsystems Inc's motion to enforce agreement to dismiss [351-1] (mt) (Entered: 05/07/2003)
- 05/05/2003 355 DECLARATION of Joseph R Re by plaintiff Simple Technology in support of plaintiff's opposition to defendant's motion to enforce agreement to dismiss [351-1] (mt) (Entered: 05/07/2003)
- 05/05/2003 356 DECLARATION of Manouch Moshayed by plaintiff Simple Technology in support plaintiff's opposition to defendant's motion to enforce agreement to dismiss [351-1] (mt) (Entered: 05/07/2003)
- 05/12/2003 357 NOTICE OF MOTION AND MOTION by of Joanne S Redmann to withdraw as counsel of record for Dense-Pac Microsystems Inc ; declaration of Joanne S Redmann in support thereof; motion hearing set for 10:00 6/9/03; Lodged proposed order (mt) (Entered: 05/13/2003)
- 05/12/2003 358 REPLY by defendant Dense-Pac Microsys in support of motion to enforce agreement to dismiss [351-1] (mt) (Entered: 05/14/2003)
- 05/12/2003 359 DECLARATION of Lester J Savit by defendant Dense-Pac Microsys in support of defendant Dense-Pac Microsystems Inc's reply in support of motion to enforce agreement to dismiss [351-1] (mt) (Entered: 05/14/2003)
- 05/19/2003  360 MINUTES: cause called; hearing held; counsel argue; defendant's motion to enforce agreement to dismiss [351-1] is DENIED; Court grants plaintiff's request for return of costs, paid no later than 05/29/03; if not, plaintiff shall submit proposed Order; Counsel shall meet & confer regarding additional proposed discovery; Court sets Pretrial Conference for 2:00 10/20/03; date for jury trial of 1/13/04 ; by Judge Alicemarie H. Stotler CR: Kathleen Haaland (In) (Entered: 05/20/2003)

- 05/19/2003 361 DENIED BY ORDER of Judge Alicemarie H. Stotler: [Proposed] Order Dismissing Action Without Prejudice lodged 04/18/03 (ln) (Entered: 05/23/2003)
- 06/04/2003  362 ORDER by Judge Alicemarie H. Stotler, granting motion to withdraw as counsel of record for defendant, counter defendant and counter claimant Dense-Pac Microsystems Inc [357-1] by attorney JoAnne S Redmann. JoAnne S. Redmann is hereby dismissed as counsel for the parties. (twdb) (Entered: 06/04/2003)
- 06/30/2003 363 NOTICE OF MOTION AND MOTION by defendant Dense-Pac Microsys for summary judgment of non-infringement of claim 12 on remand ; motion hearing set for 10:00 8/25/03 Lodged proposed order, state of uncontroverted facts, conclusions of law (pj) (Entered: 07/01/2003)
- 06/30/2003 364 MEMORANDUM OF POINTS AND AUTHORITIES IN SUPPORT by defendant Dense-Pac Microsys of motion for summary judgment of non-infringement of claim 12 on remand [363-1] (pj) (Entered: 07/01/2003)
- 06/30/2003 365 DECLARATION of LESTER J SAVIT IN SUPPORT by defendant Dense-Pac Microsys re motion for summary judgment of non-infringement of claim 12 on remand [363-1] (pj) (Entered: 07/01/2003)
- 07/08/2003 366 NOTICE OF NAME CHANGE AND REQUEST TO CLERK THAT CAPTION BE CHANGED TO REFLECT DEFENDANTS NEW NAME: Name is now DPac Technologies Corp by defendant Dense-Pac Microsys, counter-claimant Dense-Pac Microsys, counter-defendant Dense-Pac Microsys (pj) (Entered: 07/10/2003)
- 07/14/2003 367 APPLICATION filed by plaintiff Simple Technology, counter-claimant Simple Technology, counter-defendant Simple Technology to file under seal confidential exhibits to the declaration of Joseph F Jennings in support of its opposition to dense-pac, Miscrosystems moiton for summary judgment of non-infringement of claim 12 on remand (yc) (Entered: 07/16/2003)
- 07/14/2003 368 DECLARATION of Joseph F Jennings by plaintiff Simple Technology in support of opposition to dense-pac microsystems motion for summary judgment of non-infringement of claim 12 on remand [363-1] (yc) (Entered: 07/16/2003)
- 07/14/2003 369 DECLARATION of John A Reed by plaintiff Simple Technology in support of motion for summary judgment of non-infringement of claim 12 on remand [363-1] (yc) (Entered: 07/16/2003)
- 07/14/2003 370 OPPOSITION by plaintiff Simple Technology to motion for summary judgment of non-infringement of claim 12 on remand [363-1] (yc) (Entered: 07/16/2003)
- 07/14/2003 371 Statement of genuine issues by plaintiff Simple Technology in support of its oppositon to motion for summary judgment of non-infringement of 12 on remand [363-1] (yc) (Entered: 07/16/2003)
- 07/16/2003 374 ORDER by Judge Alicemarie H. Stotler granting application to file under seal confidential exhibits to the declaration of Joseph F Jennings in support of its opposition to dense-pac, Miscrosystems moiton for summary judgment of non-infringement of claim 12 on remand [367-1] The following exhibits be filed under seal: Exhibit 16 and Exhibit 27 (yc) (Entered: 07/17/2003)
- 07/21/2003 378 NOTICE OF ITS NEW CORPORATE NAME AND APPLICATION filed by plaintiff SimpleTech Inc, counter-claimant SimpleTech Inc, counter-defendant SimpleTech Inc for change of case caption (pj) (Entered: 07/29/2003)
- 07/22/2003 375 ORDER: Plaintiff and Counter defendant Simple Technology Inc's application the caption in the action is hereby changed to reflect Simple Technology Inc's new corporate name of SimpleTech Inc by Judge Alicemarie H. Stotler (pj) (Entered: 07/25/2003)

07/28/2003     376     SECOND DECLARATION of LESTER J SAVIT IN SUPPORT REPLY IN SUPPORT by defendant Dense-Pac Microsys re motion for summary judgment of non-infringement of claim 12 on remand [363-1] (pj) (Entered: 07/28/2003)

07/28/2003     377     ORDER by Judge Alicemarie H. Stotler Defendant's notice of name change and request to clerk that caption be changed to reflect defendants new name: DPAC Technologies Corp [366-1] (pj) (Entered: 07/29/2003)

07/28/2003     379     REPLY by defendant to response to motion for summary judgment of non-infringement of claim 12 on remand [363-1] (csb) (Entered: 07/30/2003)

08/11/2003     380     SUPPLEMENTAL DECLARATION of JOSEPH F. JENNINGS by plaintiff, counter-defendant SimpleTech Inc in support of Simpletech Inc's opposition to DPAC Mircrosystems Inc's motion for summary judgment of non-infringement of claim 12 on remand [363-1] (jp) (Entered: 08/19/2003)

08/11/2003     381     APPENDIX OF AUTHORITY CITED by plaintiff, counter-defendant SimpleTech Inc in support of Simpletech's surreply to DPAC's motion for summary judgment of non-infringement of claim 12 on remand [363-1] (jp) (Entered: 08/19/2003)

08/11/2003     382     SURREPLY by plaintiff, counter-defendant SimpleTech Inc in support of its opposition to DPAC's motion for summary judgment of non-infringement of claim 12 on remand [363-1] (jp) (Entered: 08/19/2003)

08/25/2003     383     MINUTES OF MOTION HEARING held by Judge Alicemarie H. Stotler: granting defendant's motion for summary judgment of non-infringement of claim 12 on remand [363-1]. Defendant is granted leave to prepare, lodge and serve no later than 9/2/03, an amended statement of uncontroverted facts and conclusions of law, and a proposed final judgment. Plaintiff shall prepare, file and serve a statement of genuine issues no later than 9/9/03. CR: William S Stephens (mt) (Entered: 08/27/2003)

09/03/2003     384     RECEIPT OF TRANSCRIPT of proceedings for the following date(s): 8/25/03 CR: William Stephens (dlu) (Entered: 09/05/2003)

09/03/2003     --     TRANSCRIPT filed for proceedings held on 8/25/03 (dlu) (Entered: 09/05/2003)

09/09/2003     385     RESPONSE by SimpleTech Inc to DPAC's amended [proposed] statement of uncontroverted facts and conclusions of law in support of its motion for summary judgment of non-infringement of claim 12 on remand (mt) (Entered: 09/16/2003)

09/15/2003     386     DEFENDANT DPAC TECHNOLOGIES CORP'S AMENDED STATEMENT of uncontroverted facts and conclusions of law in support of its motion for summary judgment of non-infringement of claim 12 on remand and ORDER by Judge Alicemarie H. Stotler (mt) (Entered: 09/16/2003)

09/15/2003     387     JUDGMENT AFTER REMAND AND ORDER by Judge Alicemarie H. Stotler: It is ordered and adjudged that plaintiff take nothing on its complaint, that defendant take nothing on its counter-claim, and that defendant shall, as the prevailing party, recover its costs of suit; terminating case (MD JS-6) (mt) (Entered: 09/16/2003)

09/30/2003     391     NOTICE OF APPLICATION AND APPLICATION TO THE CLERK TO RE-TAX COSTS FOLLOWING ENTRY OF JUDGMENT AFTER REMAND/BILL OF COSTS RETURNABLE submitted by counter-defendant DPAC Technologies re [387-2]; bill of cost hearing set on 11:00 10/17/03 (mt) (Entered: 11/26/2003)

10/08/2003     388     NOTICE OF APPEAL by plaintiff SimpleTech Inc, counter-defendant SimpleTech Inc, to Federal Circuit from Dist. Court judgment filed 09/15/03 [387-2]; order filed 09/15/03 [386-1]. (cc: Joseph S. Cianfrani, Knobbe, Martens, Olson & Bear, LLP; Jones Day, Irvine, CA; Jones Day, Cleveland, OH) Fee: Paid (wdc) (Entered: 10/08/2003)


10/22/2003     389     TRANSCRIPT PURCHASE ORDER. (pjap) (Entered: 10/23/2003)

|            |            |  |
|------------|------------|--|
| 10/30/2003 | <u>390</u> | NOTIFICATION by Federal Circuit Court of Appellate Docket Number appeal [388-1] 04-1034. (fvap) (Entered: 10/30/2003)                            |
| 11/20/2003 | --         | COSTS taxed for DPAC Technologies Corp in the amount of \$23,191.62 against SimpleTech Inc; bill of cost hearing held (mt) (Entered: 11/26/2003) |

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*2001 U.S. Dist. LEXIS 25160, \**

SIMPLE TECHNOLOGY, Plaintiff, v. DENSE-PAC MICROSYSTEMS,  
Defendants.

SA CV 98-822 AHS (EEx)

UNITED STATES DISTRICT COURT FOR THE CENTRAL DISTRICT OF  
CALIFORNIA, SOUTHERN DIVISION

2001 U.S. Dist. LEXIS 25160

March 28, 2001, Decided

March 29, 2001, Filed; March 29, 2001, Entered; March 29, 2001, Enter  
on ICMS

**SUBSEQUENT HISTORY:** Affirmed by Simple Tech., Inc.v. Dense-Pac  
Microsystems, 31 Fed. Appx. 636, 2002 U.S. App. LEXIS 4441 (2002)

**DISPOSITION:** [\*1] Defendant's motion for partial summary judgment  
granted.

### CASE SUMMARY

**PROCEDURAL POSTURE:** Defendant company filed a motion for  
partial summary judgment of non-infringement of claim 12 of  
plaintiff patentee's **Reissue** Patent No. **36,916**.

**OVERVIEW:** The court previously ruled that the patent was not  
infringed by the company because the rail products did not employ  
"planar side boards." The company moved for partial summary  
judgment of non-infringement. The court held that the phrase  
"planar side boards" should have been characterized as a single  
limitation that had been the subject of amendment. The patentee's  
reference to the phrase "planar side boards" as a single cohesive  
limitation was based on an erroneous construction of claim 12 and  
did not raise any factual issues regarding the structure of its  
product. The court found that the patentee's amendment of its  
patent application to narrow "first side board" and "second side




board" to "first planar side board" and "second planar side board" in response to prior art identified by the examiner narrowed the literal scope of the claim and thus gave rise to prosecution history estoppel with respect to the amended claim elements. Thus the patentee was completely barred from seeking infringement on the basis of the doctrine of equivalents on account of the patentee's amendment narrowing the limitation "planar side board."

**OUTCOME:** The court granted the motion for partial summary judgment and entered final judgment for the company.

**CORE TERMS:** patent, planar, summary judgment, infringement, multiplier, literal, beam, ion, non-infringement, estoppel, amended claim, switching, estopped, narrowed, analog, gun, entry of judgment, partial, adjudicated

**LexisNexis (TM) HEADNOTES - Core Concepts - ♦ [Hide Concepts](#)**

[Patent Law](#) > [Infringement](#) > [Prosecution History Estoppel](#) 

**HN1** Any amendment that narrows the scope of a claim for any  reason related to the statutory requirements for a patent will give rise to prosecution history estoppel with respect to the amended claim element. [More Like This Headnote](#)

**COUNSEL:** For SIMPLE TECHNOLOGY INC, plaintiff: Joseph R Re, Joseph F Jennings, Knobbe Martens Olson & Bear, Irvine, CA.

For DENSE-PAC MICROSYSTEMS INC, defendant: Richard J Grabowski, Gregory E Woodard, Jones Day, Irvine, CA. Kenneth R Adamo, Jones Day, North Point, Cleveland, OH. JoAnne S Redmann, Reed Smith Crosby & Heafey, Los Angeles, CA. Kit M Stetina, Stetina Brunda Garred & Brucker, Aliso Viejo, CA.

For DENSE-PAC MICROSYSTEMS INC, counter-claimant: Richard J Grabowski, Gregory E Woodard, Jones Day, Irvine, CA. JoAnne S Redmann, Reed Smith Crosby & Heafey, Los Angeles, CA.

For SIMPLE TECHNOLOGY INC, counter-defendant: Joseph R Re, Joseph F Jennings, Knobbe Martens Olson & Bear, Irvine, CA.

For SIMPLE TECHNOLOGY INC, counter-claimant: Joseph R Re, Joseph F Jennings, Knobbe Martens Olson & Bear, Irvine, CA.

For DENSE-PAC MICROSYSTEMS INC, counter-defendant: JoAnne S

Redmann, Reed Smith Crosby & Heafey, Los Angeles, CA.

**JUDGES:** ALICEMARIE H. STOTLER, UNITED STATES DISTRICT JUDGE.

**OPINIONBY:** ALICEMARIE H. STOTLER

**OPINION:** MEMORANDUM ORDER GRANTING DEFENDANT'S MOTION FOR PARTIAL SUMMARY JUDGMENT AND ORDER FOR [\*2] ENTRY OF JUDGMENT

## I.

### PROCEDURAL BACKGROUND

On February 7, 2001, the Court ruled that plaintiff's **Reissue Patent No. 36,916** ('916) was not infringed by defendant because the M-Densus rail products do not employ "planar side boards." The Court denied defendant's motion of non-infringement "except to the extent it is granted as to literal infringement." See Feb. 7, 2001 Minute Order. On February 23, 2001, defendant moved for partial summary judgment of non-infringement of claim 12 of the '916 patent in light of the Federal Circuit's decision in Festo Corp. v. Shoketsu Kinzoku Kogyo Kabushiki Co., 234 F.3d 558 (Fed. Cir. 2000). Plaintiff filed opposition on March 9, 2001. Defendant filed a reply on March 16, 2001.

The parties' oral arguments were heard on March 23, 2001, and the motion was taken under submission. The Court, having considered the papers submitted by the parties, the cases cited therein, and the oral arguments of counsel, grants defendant's motion. Because only Claim 12 is in issue in the complaint, and because all other issues have been adjudicated, the Court orders entry of judgment in favor of defendant.

## II.

### DISCUSSION [\*3]

The Court holds that the phrase "planar side boards" should be characterized as a single limitation that has been the subject of amendment. See Aclara v. Caliper Technologies Corp., 125 F. Supp. 2d 391, 402 (N.D. Cal. 2000) ("A limitation . . . is a series of limiting words or phrases that specifically identify the invention in the claims.") (internal quotations omitted); see also Festo, 234 F.3d at 563 ("It is preferable to use the term 'limitation' when referring to claim language and the term 'element' when referring to the accused device.").

During the course of this litigation, plaintiff has consistently referred to the

phrase "planar side boards" as a single cohesive limitation. See e.g., Malcolm Decl., Ex. O, Pla's Mot. for Partial Summary Judgment of Literal Infringement of Claim 12 of '907 patent at 6:19-24 ("To this point, Dense-Pac has only disputed the interpretation of two claim limitations: (1) "planar side boards" and (2) . . . ."); 13:10-15 (" . . . Dense-Pac has argued that its products do not satisfy two limitations of Claim 12. However, Dense-Pac's arguments are based on an erroneous construction of Claim 12 and do not raise [\*4] any factual issues regarding the structure of its product. A. The Accused Products Contain Planar Side Boards.").

Festo holds that <sup>HN1</sup>any amendment "that narrows the scope of a claim for any reason related to the statutory requirements for a patent will give rise to prosecution history estoppel with respect to the amended claim element." See Festo, 234 F.3d at 564-65. Plaintiff amended its patent application to narrow "first side board" and "second side board" to "first planar side board" and "second planar side board" in response to prior art identified by the examiner. Malcolm Decl., Ex. E-7,8. The Court finds the amendment to have "narrowed the literal scope of the claim" as contemplated by Festo in a prosecution history estoppel analysis. Id. at 585.

The court in Aclara characterized the consequence of creating prosecution history estoppel as "severe" under Festo, Aclara, 125 F. Supp. 2d at 391. Whether or not this is so, the Court finds that, in this case, imposition of a complete bar to application of the doctrine of equivalents follows the directive of Festo. More recent Federal Circuit decisions point to [\*5] the same conclusion. See e.g., Pioneer Magnetics v. Micro Linear Corp., 238 F.3d 1341 (Fed. Cir. 2001) (finding "plaintiff [to be] estopped from arguing equivalents to 'switching analog multiplier circuit' limitation of the claims in the '366 patent" where plaintiff had amended claim from "multiplier" to "switching analog multiplier" to avoid prior art which disclosed a power supply containing a non-switching multiplier); Litton Systems, Inc. v. Honeywell Inc., 238 F.3d 1376, 1380 (finding plaintiff to be "estopped from claiming any equivalents to the 'Kaufman-type ion beam gun' limitation in the disputed claims of the '849 **reissue**" where plaintiff had "narrowed its claims by amending the term 'ion beam source' to read 'Kaufman-type ion beam source' and the accused devices did not literally possess a Kaufman-type ion beam gun).

### III.

### CONCLUSION

Accordingly, and for the foregoing reasons, the Court grants defendant's motion for partial summary judgment on the ground that, under Festo,

plaintiff is completely barred from seeking infringement on the basis of the doctrine of equivalents on account of plaintiff's amendment narrowing [\*6] the limitation "planar side board." As noted, the Court has previously adjudicated literal infringement adverse to plaintiff.

The Court has this date modified, signed, and filed defendant's proposed Statement of Uncontroverted Facts and Conclusions of Law. The Clerk shall enter judgment for defendant.

IT IS ORDERED.

IT IS FURTHER ORDERED that the Clerk shall serve a copy of this Order on counsel for all parties in this action.

DATED: March 28, 2001.

ALICEMARIE H. STOTLER

UNITED STATES DISTRICT JUDGE

JUDGMENT

The Court, having denied Defendant's Motion for Summary Judgment of Non-Infringement of United States Patent No. **Re. 36,916** ("916 patent"), having granted, in part, that motion as to literal infringement, having denied Defendant's Motion for Summary Judgment as to Invalidity of Plaintiff's '916 patent, having denied Plaintiff's Motion for Summary Judgment as to Infringement of Claim 12 of the '916 patent, having granted Plaintiff's Motion for Summary Judgment as to Non-infringement of Defendant's '694 patent, and having granted Defendant's Motion for Partial Summary Judgment of Non-Infringement of Claim 12 of the '916 patent, these matters having come before the Court, [\*7] the Honorable Alicemarie H. Stotler, District Judge, presiding, and the evidence presented having been fully considered, the issues having been duly considered, and decisions thereon having been duly rendered,


IT IS ORDERED AND ADJUDGED:

that plaintiff take nothing on its complaint, that defendant take nothing on its counter-claim, and that defendant shall, as the prevailing party, recover its costs of suit.

DATED: March 28, 2001.

ALICEMARIE H. STOTLER

## UNITED STATES DISTRICT JUDGE






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*PR Newswire October 10, 2003, Friday*

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October 10, 2003, Friday

**SECTION:** FINANCIAL NEWS

**DISTRIBUTION:** TO BUSINESS AND TECHNOLOGY EDITORS

**LENGTH:** 574 words

**HEADLINE:** SimpleTech Considers Staktek Lawsuit a Response To SimpleTech's Earlier Lawsuit;  
Company Believes Claims Are Without Merit

**DATELINE:** SANTA ANA, Calif., Oct. 13

**BODY:**

On July 30, 2003, SimpleTech, Inc. (Nasdaq: STEC), a designer, manufacturer and marketer of custom and open-standard memory solutions based on Flash memory and DRAM technologies, filed a patent infringement lawsuit in California alleging that Staktek's recently introduced "Value Stack" memory stack module infringes SimpleTech's IC Tower stacking patent, U.S. Patent No. **Re. 36,916**. In an apparent response to SimpleTech's earlier patent infringement lawsuit, Staktek, on October 10, 2003, announced that it has filed a patent infringement lawsuit in Texas that alleges that SimpleTech's IC Tower stacking product infringes two of Staktek's patents. SimpleTech will review and study the complaint when it is received, however, based on Staktek's representation regarding the subject of the lawsuit, SimpleTech believes that Staktek's claims are without merit. SimpleTech intends to vigorously defend its IC Tower stacking technology.

About SimpleTech

SimpleTech, Inc. designs, manufactures and markets custom and open-standard memory solutions based on Flash memory and DRAM technologies. Headquartered in Santa Ana, California, the company offers a comprehensive line of over 2,500 products and specializes in developing

high-density memory modules, memory cards and storage drives. For more information, please contact the company's Investors Relations department at (949) 260-8328 ([ir@simpletech.com](mailto:ir@simpletech.com)) or visit [www.simpletech.com](http://www.simpletech.com).

#### Safe Harbor


This release may contain forward-looking statements that involve risks and uncertainties, including, but not limited to, statements concerning the belief that Staktek's claims are without merit and SimpleTech's intent to vigorously defend its IC Tower stacking technology. Because litigation is inherently uncertain, SimpleTech cannot predict the outcome of its litigation with Staktek. Important factors which could cause actual results to differ materially from those in the forward-looking statement are detailed under "Risk Factors" in filings with the Securities and Exchange Commission (the "SEC") made from time to time by SimpleTech, including its Registration Statement on Form S-1 filed with the SEC on October 1, 2003, its Annual Reports on Form 10-K, its quarterly reports on Form 10-Q, and its current reports on Form 8-K. Actual results may differ materially from those predicted. Other factors that could cause actual results to differ materially from those expressed or implied in the forward-looking statements include the following risks: if SimpleTech is unable to adequately protect its intellectual property, its competitors might gain access to its technology, which could harm its ability to successfully compete in its market and patent infringement litigation with Staktek and other companies in the future could divert management's time and attention and could be time consuming and expensive. SimpleTech undertakes no obligation to release publicly any revisions to any forward-looking statements to reflect events or circumstances occurring after the date hereof or to reflect the occurrence of unanticipated events.

SOURCE SimpleTech, Inc.

CONTACT: Media, Elaine Marshall, Director of Public Relations, +1-949-260-8219, [emarshall@simpletech.com](mailto:emarshall@simpletech.com), or Investors, Mitch Gellman, Director of Investor Relations, +1-949-260-8328, [ir@simpletech.com](mailto:ir@simpletech.com), both of SimpleTech, Inc.

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*Intellectual Property Today October, 2003*

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October, 2003

**SECTION:** TECHNO BYTES TM; Decisions & Settlements; Pg. 22

**LENGTH:** 235 words

**HEADLINE:** DPAC Technologies Wins Patent Lawsuit with SimpleTech


**BODY:**

DPAC Technologies Corp. (Nasdaq: DPAC), a technology company that designs and manufactures high-density memory and wireless products, announced that the United States District Court for the Central District of California granted judgment in favor of DPAC on SimpleTech, Inc.'s claim of infringement of United States Patent No. **Re. 36,916**.

SimpleTech's 1998 patent infringement claim was previously adjudicated as without merit by the District Court in March, 2001, a finding that was affirmed in the following year by the United States Court of Appeals. A subsequent United States Supreme Court decision in another case prompted the Supreme Court to return this case to the Court of Appeals to determine whether SimpleTech was now entitled to a trial on its claim. The Court of Appeals asked the District Court to apply the new Supreme Court standard, and the District Court again found that SimpleTech was still not entitled to go to trial and a finding of non-infringement was re-entered.

SimpleTech filed another patent infringement action against DPAC in 2001 alleging that other claims of its '916 patent were infringed. DPAC filed a counterclaim alleging trade secret misappropriation and unfair competition. The parties voluntarily dismissed the claim and counterclaim in 2002 without prejudice to re-filing at a later date. Neither party has refiled an action alleging those claims.

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*Business Wire September 18, 2003, Thursday*

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September 18, 2003, Thursday

**DISTRIBUTION:** Business Editors/High-Tech Writers

**LENGTH:** 610 words

**HEADLINE:** DPAC Technologies Wins Patent Lawsuit with SimpleTech

**DATELINE:** GARDEN GROVE, Calif., Sept. 18, 2003

**BODY:**

DPAC Technologies Corp. (Nasdaq:DPAC), a technology company that designs and manufactures high-density memory and wireless products, today announced that the United States District Court for the Central District of California granted judgment in favor of DPAC on SimpleTech, Inc.'s claim of infringement of United States Patent No. **Re. 36,916**.

SimpleTech's 1998 patent infringement claim was previously adjudicated as without merit by the District Court in March, 2001, a finding that was affirmed in the following year by the United States Court of Appeals. A subsequent United States Supreme Court decision in another case prompted the Supreme Court to return this case to the Court of Appeals to determine whether SimpleTech was now entitled to a trial on its claim. The Court of Appeals asked the District Court to apply the new Supreme Court standard, and the District Court again found that SimpleTech was still not entitled to go to trial and a finding of non-infringement was re-entered.

SimpleTech filed another patent infringement action against DPAC in 2001 alleging that other claims of its '916 patent were infringed. DPAC filed a counterclaim alleging trade secret misappropriation and unfair competition. The parties voluntarily dismissed the claim and counterclaim in 2002 without prejudice to re-filing at a later date. Neither party has refiled an action alleging those claims.

About DPAC Technologies

Based in Garden Grove, California, DPAC Technologies provides patented component packaging technology to create high-density, space-saving memory and wireless products. DPAC's products are used in electronic circuits found in network servers, computer storage devices, guidance systems, medical instrumentation, and communication devices. The Company provides outsourced engineering design services to aid customers in creating cost-saving circuit designs as well as contract manufacturing of prototype designs and medium volume production runs of assembled circuit boards. The Company's web site address is [www.DPACTech.com](http://www.DPACTech.com).

### Forward-Looking Statements

This press release includes forward-looking statements, including statements regarding management's current beliefs concerning the Company's business plans, the success of the litigation, the need for patented technology, risks of introducing new technologies, risks associated with continued litigation, and the success of the programs using this technology, which are subject to change. Every statement herein that is not historic in nature is a forward-looking statement for purposes of the Safe Harbor provisions of the Private Securities Litigation Reform Act of 1995. Such statements involve risks and uncertainties, which may differ materially from those set forth in these statements. Factors that affect DPAC's business include, but are not limited to; the success of patented products, future business opportunities with products, the military and industrial market, protection of technology or proprietary rights, risks of litigation, and general market and economic conditions. More information about the risks and challenges faced by DPAC Technologies Corp. is contained in the Securities and Exchange Commission filings made by the Company. DPAC Technologies Corp. specifically disclaims any obligation to update or revise any forward-looking statements whether as a result of new information, future developments or otherwise.

CONTACT: DPAC Technologies Corp., Garden Grove  
William M. Stowell or Brett Trowbridge, 714-898-0007  
[William.Stowell@dpactech.com](mailto:William.Stowell@dpactech.com)  
[Brett.Trowbridge@dpactech.com](mailto:Brett.Trowbridge@dpactech.com)  
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*PR Newswire July 31, 2003, Thursday*

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July 31, 2003, Thursday

**SECTION:** FINANCIAL NEWS

**DISTRIBUTION:** TO BUSINESS AND TECHNOLOGY EDITORS

**LENGTH:** 428 words

**HEADLINE:** SimpleTech Files Patent Infringement Lawsuit Against Staktek Corporation;  
Suit Protects SimpleTech's IC Tower(TM) Stacking Technology Intellectual Property

**DATELINE:** SANTA ANA, Calif., July 31

**BODY:**

SimpleTech, Inc. (Nasdaq: STEC), a leading provider of Flash-based storage, as well as custom and standard memory solutions, today announced that it has filed a patent infringement lawsuit against Staktek Corporation in U.S. District Court for the Central District of California. The lawsuit alleges that Staktek's recently introduced "Value Stack" memory stack module infringes SimpleTech's U.S. Patent No. **Re. 36,916**, issued in October 2000. The asserted patent relates to SimpleTech's IC Tower(TM) stacking product.

"SimpleTech is committed to bringing innovative products to the market through its ongoing focus on research and development. SimpleTech is equally committed to protecting our intellectual property associated with those innovations," said Manouch Moshayedi, SimpleTech's CEO.

SimpleTech's IC Tower stacking technology allows multiple memory and logic chips to be stacked together to provide increased memory and storage densities that provide enhanced capacity and functionality without increasing the size of the footprint of the memory modules.

SimpleTech, Inc. is a technology solutions provider offering products based on DRAM, SRAM and flash memory technologies. Headquartered in

Santa Ana, California, the company is a leader in the design, development, manufacturing and marketing of custom and standard memory solutions. For more information, please visit our web site at [www.simpletech.com](http://www.simpletech.com).

This release may contain forward-looking statements that involve risks and uncertainties. The outcome of the litigation between SimpleTech, Inc. and Staktek Corporation is uncertain and results could vary from those predicted. Important factors which could cause actual results to differ materially from those in the forward-looking statement are detailed under "Risk Factors" in filings with the Securities and Exchange Commission made from time to time by SimpleTech, including its Annual Reports on Form 10-K, its quarterly reports on Form 10-Q, and its current reports on Form 8-K. SimpleTech undertakes no obligation to release publicly any revisions to any forward-looking statements to reflect events or circumstances occurring after the date hereof or to reflect the occurrence of unanticipated events.

SOURCE SimpleTech, Inc.

CONTACT: Media, Pat Harriman, Public Relations, +1-949-260-8219, [pharriman@simpletech.com](mailto:pharriman@simpletech.com), or Investors, Mitch Gellman, Director of Investor Relations, +1-949-260-8328, [ir@simpletech.com](mailto:ir@simpletech.com), both of SimpleTech, Inc.

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*PR Newswire November 28, 2000, Tuesday*

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November 28, 2000, Tuesday

**SECTION:** FINANCIAL NEWS

**DISTRIBUTION:** TO BUSINESS AND TECHNOLOGY EDITORS

**LENGTH:** 889 words

**HEADLINE:** Simple Technology Expands Infringement Claims Against Dense-Pac Microsystems;  
-Simple Technology Receives **Reissue** Patent For IC Tower Chip Stacking Technology -

**DATELINE:** SANTA ANA, Calif., Nov. 28

**BODY:**

Simple Technology, Inc., (Nasdaq: STEC), a leading manufacturer of solid state Flash storage and custom memory solutions, announced today that it will ask the United States District Court for the Central District of California to amend its patent infringement lawsuit against Dense-Pac Microsystems, Inc., to incorporate its newly granted chip stacking **reissue** patent. Simple Technology originally filed the lawsuit against Dense-Pac in September 1998 based upon its IC Tower(TM) stacking patent, U.S. Patent No. 5,514,907, which was granted in May 1996. Last month, Simple Technology was granted a **reissue** patent, **Re. 36,916**, which expanded the company's claims to this innovative technology.

"We are extremely pleased that the U.S. Patent and Trademark Office has reconfirmed the validity of our patent rights and has broadened our exclusive rights to this significant technology," said Mark Moshayedi, the company's chief operating officer and inventor of the **reissue** patent. "Importantly, the grant of our **reissue** patent took into consideration all prior art that had been submitted to the court by Dense-Pac. We feel this greatly strengthens our position in the on-going litigation."

The IC Tower stacking technology is widely used throughout Simple Technology's product lines, including in its high-density memory and Flash

card products, which find application in a variety of markets ranging from consumer products such as digital cameras, PDAs, MP3 players, to industrial applications such as telecommunications, networking, and embedded computing products. The use of stacking technology permits the company to offer economical, reliable, high-density memory and storage solutions as an alternative to a monolithic chip solution. In addition, the stacking technology permits the company to reach memory and storage densities which are not otherwise achievable through current technology.

"Although Dense-Pac is the immediate focus of our legal action, we now intend to begin a systematic assessment of companies practicing this method of chip stacking technology," said Manouch Moshayedi, the company's chief executive officer. "We believe that a number of companies, in addition to Dense-Pac, may be infringing our technology. We are firmly committed to protecting our intellectual property and we will vigorously pursue our full legal remedies. We would, however, be willing to license our chip stacking technology on a non-exclusive basis."

Simple Technology is seeking damages, including pre-judgment interest, totaling more than \$ 23 Million, in addition to injunctive relief against further patent infringement by Dense-Pac. Trial is presently set for March 2001.

#### About Simple Technology, Inc.

Simple Technology is a worldwide leader in the design, manufacture and marketing of Flash (solid-state and non-volatile memory), DRAM (Dynamic Random Access Memory), and SRAM (Static Random Access Memory) memory solutions. The company features a comprehensive line of more than 2500 memory and storage products, and products that connect memory cards and hard drive upgrade kits to PCs. Simple Technology -- with a 10-year history of performance -- completed its initial public offering in September 2000.

Simple Technology products are used in high performance computing, networking and communications, consumer electronics and industrial applications. The company's patented IC Tower stacking technology, allows multiple memory and logic chips to be stacked together to provide increased capacity or enhanced functionality for memory or storage modules, cards and drives, without increasing the end-product footprint.

#### Safe Harbor Statement

This release may contain forward-looking statements that involve risks and uncertainties. The outcome of the litigation between Simple Technology and Dense-Pac Microsystems, Inc., is uncertain and results could vary from those predicted. If our IC Tower stacking **reissue** patent is found to be invalid, Simple Technology's ability to exclude competitors from making, using or selling the same or similar products to our IC Tower stacking products would cease. In addition, if Simple Technology is found

to infringe valid patents of others, Simple Technology may be excluded from using the infringed technology without a license, which may not be available on commercially reasonable terms, if at all. Important factors which could cause actual results to differ materially from those in the forward-looking statement are detailed under "Risk Factors" in filings with the Securities and Exchange Commission made from time to time by Simple Technology, including its Registration Statement on Form S-1 declared effective on September 28, 2000. Simple Technology undertakes no obligation to release publicly any revisions to any forward-looking statements to reflect events or circumstances after the date hereof or to reflect the occurrence of unanticipated events.

For information about Simple Technology, Inc., please visit the company's web site [www.simpletech.com](http://www.simpletech.com)

SOURCE Simple Technology, Inc.

CONTACT: Mitch Gellman, Director of Investor Relations of Simple Technology, Inc., 949-260-8328, [mgellman@simpletech.com](mailto:mgellman@simpletech.com)

URL: <http://www.prnewswire.com>

**LOAD-DATE:** November 29, 2000

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Terms: **re36916** or (re pre/1 36916) or re36,916 or (re pre/1 36,916) or ((reissu! or (re pre/1 issu!)) and (36916 or 36,916)) ([Edit Search](#))

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Date/Time: Thursday, March 18, 2004 - 12:45 PM EST

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[Sources](#) | [Guided Search Forms](#) | [Command Searching](#)[Legal](#) > [Area of Law - By Topic](#) > [Patent Law](#) > [Legal News](#) > [Patent, Trademark & Copyright Periodicals, Combined](#)**Enter Search Terms**☒ **Terms and Connectors** ☐ Natural Language

re36916 or (re pre/1 36916) or re36,916 or (re pre/1  
36,916) or ((reissu! or (re pre/1 issu!)) and (36916 or  
36,916))

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5514907 or 5,514,907


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*PR Newswire November 28, 2000, Tuesday*

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PR Newswire

November 28, 2000, Tuesday

**SECTION:** FINANCIAL NEWS

**DISTRIBUTION:** TO BUSINESS AND TECHNOLOGY EDITORS

**LENGTH:** 889 words

**HEADLINE:** Simple Technology Expands Infringement Claims Against Dense-Pac Microsystems;  
-Simple Technology Receives Reissue Patent For IC Tower Chip Stacking Technology -

**DATELINE:** SANTA ANA, Calif., Nov. 28

**BODY:**

Simple Technology, Inc., (Nasdaq: STEC), a leading manufacturer of solid state Flash storage and custom memory solutions, announced today that it will ask the United States District Court for the Central District of California to amend its patent infringement lawsuit against Dense-Pac Microsystems, Inc., to incorporate its newly granted chip stacking reissue patent. Simple Technology originally filed the lawsuit against Dense-Pac in September 1998 based upon its IC Tower(TM) stacking patent, U.S. Patent No. **5,514,907**, which was granted in May 1996. Last month, Simple Technology was granted a reissue patent, Re. **36,916**, which expanded the company's claims to this innovative technology.

"We are extremely pleased that the U.S. Patent and Trademark Office has reconfirmed the validity of our patent rights and has broadened our exclusive rights to this significant technology," said Mark Moshayedi, the company's chief operating officer and inventor of the reissue patent. "Importantly, the grant of our reissue patent took into consideration all prior art that had been submitted to the court by Dense-Pac. We feel this greatly strengthens our position in the on-going litigation."

The IC Tower stacking technology is widely used throughout Simple Technology's product lines, including in its high-density memory and Flash card products, which find application in a variety of markets ranging from

consumer products such as digital cameras, PDAs, MP3 players, to industrial applications such as telecommunications, networking, and embedded computing products. The use of stacking technology permits the company to offer economical, reliable, high-density memory and storage solutions as an alternative to a monolithic chip solution. In addition, the stacking technology permits the company to reach memory and storage densities which are not otherwise achievable through current technology.

"Although Dense-Pac is the immediate focus of our legal action, we now intend to begin a systematic assessment of companies practicing this method of chip stacking technology," said Manouch Moshayedi, the company's chief executive officer. "We believe that a number of companies, in addition to Dense-Pac, may be infringing our technology. We are firmly committed to protecting our intellectual property and we will vigorously pursue our full legal remedies. We would, however, be willing to license our chip stacking technology on a non-exclusive basis."

Simple Technology is seeking damages, including pre-judgment interest, totaling more than \$ 23 Million, in addition to injunctive relief against further patent infringement by Dense-Pac. Trial is presently set for March 2001.

#### About Simple Technology, Inc.

Simple Technology is a worldwide leader in the design, manufacture and marketing of Flash (solid-state and non-volatile memory), DRAM (Dynamic Random Access Memory), and SRAM (Static Random Access Memory) memory solutions. The company features a comprehensive line of more than 2500 memory and storage products, and products that connect memory cards and hard drive upgrade kits to PCs. Simple Technology -- with a 10-year history of performance -- completed its initial public offering in September 2000.

Simple Technology products are used in high performance computing, networking and communications, consumer electronics and industrial applications. The company's patented IC Tower stacking technology, allows multiple memory and logic chips to be stacked together to provide increased capacity or enhanced functionality for memory or storage modules, cards and drives, without increasing the end-product footprint.

#### Safe Harbor Statement

This release may contain forward-looking statements that involve risks and uncertainties. The outcome of the litigation between Simple Technology and Dense-Pac Microsystems, Inc., is uncertain and results could vary from those predicted. If our IC Tower stacking reissue patent is found to be invalid, Simple Technology's ability to exclude competitors from making, using or selling the same or similar products to our IC Tower stacking products would cease. In addition, if Simple Technology is found to infringe valid patents of others, Simple Technology may be excluded



from using the infringed technology without a license, which may not be available on commercially reasonable terms, if at all. Important factors which could cause actual results to differ materially from those in the forward-looking statement are detailed under "Risk Factors" in filings with the Securities and Exchange Commission made from time to time by Simple Technology, including its Registration Statement on Form S-1 declared effective on September 28, 2000. Simple Technology undertakes no obligation to release publicly any revisions to any forward-looking statements to reflect events or circumstances after the date hereof or to reflect the occurrence of unanticipated events.

For information about Simple Technology, Inc., please visit the company's web site [www.simpletech.com](http://www.simpletech.com)

SOURCE Simple Technology, Inc.

CONTACT: Mitch Gellman, Director of Investor Relations of Simple Technology, Inc., 949-260-8328, [mgellman@simpletech.com](mailto:mgellman@simpletech.com)

URL: <http://www.prnewswire.com>

**LOAD-DATE:** November 29, 2000

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
Terms: **5514907 or 5,514,907** ([Edit Search](#))

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*Intellectual Property Today November, 1998*

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Intellectual Property Today

November, 1998

**SECTION:** RFC EXPRESS TM; Recently Filed Patent Cases; Pg. 26

**LENGTH:** 938 words

**BODY:**

... Filed: 980828

SHIMANO INC.

vs.

CAMPAGNOLO S.R.L. & CAMPAGNOLO USA INC.

4,690,663-474/080

98-822 -- Filed: 980923

SIMPLE TECHNOLOGY INC.

vs.

DENSE-PAC MICROSYSTEMS INC.

**5,514,907**-257/723

98-542 -- Filed: 980916

SOLLAC

vs.


AK STEEL CORP.

5,023,113-427/320; 5,116,645-427/320

98-1973 -- Filed: 980911

SPECIALTY PRODUCTS CO.

vs. ...

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Terms: **5514907** or **5,514,907** ([Edit Search](#))

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*PR Newswire, September 24, 1998*

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September 24, 1998, Thursday

**SECTION:** Financial News

**DISTRIBUTION:** TO BUSINESS AND TECHNOLOGY EDITORS

**LENGTH:** 545 words

**HEADLINE:** Simple Technology Files Patent Infringement Claim Against Dense-Pac Microsystems  
**LEXIS-NEXIS Related Topicsno targeted Topics.**

**DATELINE:** SANTA ANA, Calif., Sept. 24

**BODY:**

Simple Technology, Inc. (STI) today announced that it has filed a patent infringement lawsuit against Dense-Pac Microsystems, Inc. (DPMI) Garden Grove, CA, for infringement of STI's patented chip stacking technology, U.S. Patent no. **5,514,907**, entitled "Apparatus for Stacking Semiconductor Chips." STI was granted the '907 patent in May 1996.

The claim, filed September 23, 1998, in the United States District Court for the Central District of California, Santa Ana Division, seeks damages as well as a permanent injunction against further DPMI sales. Specifically named as infringing are DPMI's M-Densus DRAM products numbers DPSC16MX8RY5, DPSD16MX8RY5, DPSD32MX4RKY5, and DPSD32MR72RW5-PC100. Customers who use these products purchased from DPMI may also be infringing the '907 patent. In addition, other DPMI parts may be added to the lawsuit.

"Simple Technology is an innovator in three-dimensional memory products and we will not allow our proprietary technology to be used without our permission," said Mark Moshayedi, COO of Simple Technology. "Dense-Pac has chosen to illegally incorporate our design into their products, so we must now turn to the legal system to vigorously protect our intellectual property rights."

STI's three-dimensional memory design allows industry standard packaged memory devices to be stacked together in the same footprint to act as a single device. Unlike multichip modules and die stacking, which require time consuming and expensive manufacturing techniques, STI's design uses standard manufacturing processes which allow each memory chip to be individually tested. The design enables a system to reach greater capacities with its existing number of memory slots, and it provides next-generation memory capacity while eliminating common obstacles often associated with new technologies like high cost, limited availability and long lead times.

About Simple Technology, Inc.


Founded in 1990, Simple Technology, Inc. is a worldwide technology leader in the memory, storage and communications marketplace, offering first-to-market products manufactured to ISO standards. The key to Simple Technology's success is its long-standing partnerships with industry-leading semiconductor manufacturers and OEM companies. The company offers a complete line of linear and ATA flash, SRAM, DRAM and communications products in a wide variety of form factors to meet the needs of its global customer base. Simple Technology markets its products through a worldwide network of distributors, retail chains and mail order including Ingram Micro, Pinacor, Fry's Electronics, Ritz Camera, and CDW. The company has headquarters in Santa Ana, California, with sales and manufacturing facilities worldwide. More information on Simple Technology is available at [www.simpletech.com](http://www.simpletech.com).

Simple Technology is a trademark of Simple Technology, Inc. All other trademarks and registered trademarks are the property of the companies with which they are associated.

SOURCE Simple Technology, Inc.

CONTACT: Marci Vahey, Public Relations and Events Manager of Simple Technology, Inc., 949-476-1180, ext. 8309, fax: 949-851-2758, [mvahey@simpletech.com](mailto:mvahey@simpletech.com)

**LOAD-DATE:** September 25, 1998

Source: [News & Business](#) > [News](#) > [News, All \(English, Full Text\)](#) 

Terms: **5514907** or **5,514,907** ([Edit Search](#))

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Date/Time: Thursday, March 18, 2004 - 12:05 PM EST

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3/17/04

US 5,514,907

09/514633

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Query/Command : file pluspat

Selected file: PLUSPAT

Search statement 1

Query/Command : us5514907/pn

\*\* SS 7: Results 1

Search statement 8

Query/Command : prt fu legalall max

1 / 1 PLUSPAT - @QUESTEL-ORBIT - image  
PN - US5514907 A 19960507 [US5514907]  
TI - (A) Apparatus for stacking semiconductor chips  
PA - (A) SIMPLE TECH INC (US)  
PAO - Simple Technology Incorporated, Santa Ana CA [US]  
IN - (A) MOSHAYEDI MARK (US)  
AP - US40855295 19950321 [1995US-0408552]  
PR - US40855295 19950321 [1995US-0408552]  
IC - (A) H01L-023/02 H01L-023/04 H01L-023/34 H05K-007/00  
EC - H01L-025/10  
H01L-025/10J  
H05K-001/14E  
H05K-007/02B  
PCL - ORIGINAL (O) : 257723000; CROSS-REFERENCE (X) : 257E25022  
257E25023 257685000 257686000 257698000 257724000 361735000  
361760000  
DT - Basic  
CT - US3246386; US3290559; US3313986; US3377516; US3403300; US3515949;  
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US4706166; US4821007; US4924352; US4953005; US4996583; US4996587;  
US5016138; US5025307; US5043794; US5058265; US5128831; US5140745;  
US5198888; US5241454; US5281852; US5343075; US5343366; FR2645681;  
JP58-219757; JP60-1606641; JP60-254762; JP61-63048; JP61-75558;  
JP2-260448; JP3-96266; JP4-209562  
Dense-Pac Microsystems; 16 Megabit high Speed CMOS SRAM.

IBM Technical Disclosure Bulletin, vol. 23 No. 12 May 1981.

3-D Integrated packaging and Interconnect Technology; Wescon/90  
Conference Record, held 13-15 Nov. 1990, Anaheim, Ca.

1992 Proceedings. 42nd Electronic Components & Technology  
Conference. May 18-20, 1992.

Dense-Pac Microsystems flyer/"While others are still defining it .  
. . Our customers are cashing in".

Article/Laminated Memory: A New 3 Dimensional Packaging Technology  
for MCMs. nCHIP, Inc., 1971 N. Capitol Avenue, San Jose, CA 95132  
USA.

IBM Technical Disclosure Bulletin. vol. 20 No. 11A Apr. 1978.

IBM Technical Disclosure Bulletin. Vo. 32. No. 3B Aug. 1989.  
**STG** - (A) United States patent  
**AB** - A multi-chip memory module comprises multiple standard, surface-mount-type memory chips stacked on top of each other, and a pair of printed circuit boards mounted on opposite sides of the memory chips to electrically interconnect the memory chips. Each printed circuit board has vias that are positioned to form multiple rows, with each row of vias used to connect the printed circuit board to a respective memory chip. The vias falling along the bottom-most row of each printed circuit board are also exposed and are used to surface mount the multi-chip module to pads of a memory board.

1 / 1 LGST - ©EPO  
**PN** - US5514907 A 19960507 [US5514907]  
**AP** - US40855295 19950321 [1995US-0408552]  
**ACT** - 19950321 US/AS02-A  
ASSIGNMENT OF ASSIGNOR'S INTEREST  
OWNER: SIMPLE TECHNOLOGY INCORPORATED 3001 DAIMLER STREET;  
EFFECTIVE DATE: 19950320  
  
19950321 US/AS02-A  
ASSIGNMENT OF ASSIGNOR'S INTEREST  
OWNER: MOSHAYEDI, MARK; EFFECTIVE DATE: 19950320  
  
19980602 US/RF-A  
REISSUE APPLICATION FILED  
EFFECTIVE DATE: 19980422  
  
20000418 US/RF-A  
REISSUE APPLICATION FILED  
EFFECTIVE DATE: 20000228  
**UP** - 2003-22

1 / 1 CRXX - ©CLAIMS/RRX  
**AN** - 2716180  
**PN** - 5,514,907 A 19960507 [US5514907]  
**PA** - Simple Tech Inc  
**PT** - E (Electrical)  
**ACT** - 19980422 REISSUE REQUESTED  
ISSUE DATE OF O.G.: 19980602  
REISSUE REQUEST NUMBER: 09/064348  
EXAMINATION GROUP RESPONSIBLE FOR REISSUEPROCESS: 2811  
Reissue Patent Number: USRE36916

20000228 REISSUE REQUESTED  
ISSUE DATE OF O.G.: 20000318  
REISSUE REQUEST NUMBER: 09/514633  
EXAMINATION GROUP RESPONSIBLE FOR REISSUEPROCESS: 2811

Reissue Patent Number:

**UP** - 1999-00  
**UACT-** 2000-04-18



1 / 1 LITA - ©Thomson Derwent  
AN - P1998-41-33  
FS - PATENT (P)  
PN - US5514907 19960507 (Utility)  
TI - Apparatus for stacking semiconductor chips  
PCL - 257723000  
IN - Moshayedi Mark - Orange CA  
PA - Simple Technology Incorporated - Santa Ana CA  
IT - Active solid-state devices (e.g., transistors, solid-state diodes)  
PF - Simple Technology Incorporated  
DF - Dense-Pac Microsystems Incorporated  
CT - CA, Central Dist.  
DN - SACV98-822 AHS EEx  
FD - 1998-09-23  
ACT - A complaint was filed.  
UP - 1998-41

Query/Command : fam us5514907/pn

1 Patent Groups  
\*\* SS 8: Results 2

Search statement 9

Query/Command : famstate nonstop

1 / 2 PLUSPAT - ©QUESTEL-ORBIT - image  
PN - US5514907 A 19960507 [US5514907]  
STG - (A) United States patent  
TI - (A) Apparatus for stacking semiconductor chips  
PA - (A) SIMPLE TECH INC (US)  
PAO - Simple Technology Incorporated, Santa Ana CA [US]  
IN - (A) MOSHAYEDI MARK (US)  
IC - (A) H01L-023/02 H01L-023/04 H01L-023/34 H05K-007/00  
AP - US40855295 19950321 [1995US-0408552]  
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EC - H01L-025/10  
H01L-025/10J  
H05K-001/14E  
H05K-007/02B  
PCL - ORIGINAL (O) : 257723000; CROSS-REFERENCE (X) : 257E25022  
257E25023 257685000 257686000 257698000 257724000 361735000  
361760000  
DT - Basic

1 / 1 LEGALI - ©EPO  
PN - US5514907 A 19960507 [US5514907]  
AP - US40855295 19950321 [1995US-0408552]  
ACTE- 19950321 US/AS02-A  
ASSIGNMENT OF ASSIGNOR'S INTEREST  
OWNER: SIMPLE TECHNOLOGY INCORPORATED 3001 DAIMLER STREET;  
EFFECTIVE DATE: 19950320  
  
19950321 US/AS02-A  
ASSIGNMENT OF ASSIGNOR'S INTEREST  
OWNER: MOSHAYEDI, MARK; EFFECTIVE DATE: 19950320

3/17/04

US 5,514,907

09/514633

19980602 US/RF-A  
REISSUE APPLICATION FILED  
EFFECTIVE DATE: 19980422

20000418 US/RF-A  
REISSUE APPLICATION FILED  
EFFECTIVE DATE: 20000228

UP - 2003-22

2 / 2 PLUSPAT - ©QUESTEL-ORBIT - image  
PN - USRE36916 E 20001017 [USRE36916]  
STG - (E) Reissue  
TI - (E) Apparatus for stacking semiconductor chips  
PA - (E) SIMPLE TECH INC (US)  
PAO - Simple Technology Incorporated, Santa Ana CA [US]  
IN - (E) MOSHAYEDI MARK (US)  
IC - (E) H01L-023/02 H01L-023/04 H01L-023/34 H05K-007/00  
AP - US6434898 19980422 [1998US-0064348]  
PR - US6434898 19980422 [1998US-0064348]  
US40855295 19950321 [1995US-0408552]  
EC - H01L-025/10  
H05K-001/14E  
H05K-007/02B  
PCL - ORIGINAL (O) : 257723000; CROSS-REFERENCE (X) : 174052100  
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DT - Basic  
UP - 2000-44

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Selected file: PLUSPAT

Search statement 1

Query/Command : file pluspat

Query/Command : re36916/pn

\*\* SS 1: Results 1

Search statement 2

Query/Command : prt fu legalall max

1 / 1 PLUSPAT - @QUESTEL-ORBIT - image  
PN - USRE36916 E 20001017 [USRE36916]  
TI - (E) Apparatus for stacking semiconductor chips  
PA - (E) SIMPLE TECH INC (US)  
PAO - Simple Technology Incorporated, Santa Ana CA [US]  
IN - (E) MOSHAYEDI MARK (US)  
AP - US6434898 19980422 [1998US-0064348]  
FD - Reissued: US408552 19950321 [1995US-0408552]  
Reissue of: US5514907 - 19960507  
PR - US6434898 19980422 [1998US-0064348]  
US40855295 19950321 [1995US-0408552]  
IC - (E) H01L-023/02 H01L-023/04 H01L-023/34 H05K-007/00  
EC - H01L-025/10  
H05K-001/14E  
H05K-007/02B  
PCL - ORIGINAL (O) : 257723000; CROSS-REFERENCE (X) : 174052100  
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361735000 361744000 361760000 361790000 439065000 439083000  
DT - Basic  
CT - US3246386; US3290559; US3313986; US3377516; US3403300; US3515949;  
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US5058265; US5086018; US5107328; US5128831; US5140745; US5155068;  
US5198888; US5222014; US5231304; US5239447; US5241454; US5281852;  
US5311401; US5313096; US5343075; US5343366; US5369058; US5373189;  
US5384689; US5397916; US5420751; US5426566; US5446313; US5479318;  
US5481133; US5493476; US5499160; US5514907; US5552963; US5561591;  
US5566051; US5586009; US5605592; US5612570; US5615475; US5723903;  
FR2645681; JP58-219757; JP60-160641; JP60-194548; JP60-254762;  
JP61-63048; JP61-75558; JP61-137335; JP2-260448; JP3-96266;  
JP4-209562; JP7-122842  
Patent Abstract of Japan, Publication No. 05029534, Published May  
2, 1993, Inventor: Nakamura Shigemi, entitled "Memory Module",  
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STG - (E) Reissue

AB - A multi-chip memory module comprises multiple standard, surface-mount-type memory chips stacked on top of each other, and a pair of printed circuit boards mounted on opposite sides of the memory chips to electrically interconnect the memory chips. Each printed circuit board has vias that are positioned to form multiple rows, with each row of vias used to connect the printed circuit board to a respective memory chip. The vias falling along the bottom-most row of each printed circuit board are also exposed

and are used to surface mount the multi-chip module to pads of a memory board.

UP - 2000-44

1 / 2 LITA - ©Thomson Derwent

AN - P2003-34-49

FS - PATENT (P)

PN - USRE36916 20001017 (Reissue)

TI - Apparatus for stacking semiconductor chips

PCL - 257723000

IN - Moshayedi Mark - Orange CA

PA - Simple Technology Incorporated - Santa Ana CA

IT - Active solid-state devices (e.g., transistors, solid-state diodes)

PF - Simpletech Incorporated

DF - Staktek Corporation

CT - CA, Central Dist.

DN - SACV03-1188 AHS (ANx)

FD - 2003-07-29

ACT - A complaint was filed.

UP - 2003-34

2 / 2 LITA - ©Thomson Derwent

AN - P2001-13-62

FS - PATENT (P)

PN - USRE36916 20001017 (Reissue)

TI - Apparatus for stacking semiconductor chips

PCL - 257723000

IN - Moshayedi Mark - Orange CA

PA - Simple Technology Incorporated - Santa Ana CA

IT - Active solid-state devices (e.g., transistors, solid-state diodes)

PF - Simple Technology Incorporated

DF - Dense-Pac Microsystems Incorporated

CT - CA, Central Dist.

DN - SACV01-231 AHS (ANx)

FD - 2001-02-21

ACT - A complaint was filed.

UP - 2001-13

Query/Command : fam re36916/pn

1 Patent Groups

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Search statement 4

Query/Command : famstate nonstop

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PN - US5514907 A 19960507 [US5514907]

STG - (A) United States patent

TI - (A) Apparatus for stacking semiconductor chips

PA - (A) SIMPLE TECH INC (US)

PAO - Simple Technology Incorporated, Santa Ana CA [US]

IN - (A) MOSHAYEDI MARK (US)

3/18/04

US RE 36916

09/064348

IC - (A) H01L-023/02 H01L-023/04 H01L-023/34 H05K-007/00  
AP - US40855295 19950321 [1995US-0408552]  
PR - US40855295 19950321 [1995US-0408552]  
EC - H01L-025/10  
H01L-025/10J  
H05K-001/14E  
H05K-007/02B  
PCL - ORIGINAL (O) : 257723000; CROSS-REFERENCE (X) : 257E25022  
257E25023 257685000 257686000 257698000 257724000 361735000  
361760000  
DT - Basic

1 / 1 LEGALI - ©EPO  
PN - US5514907 A 19960507 [US5514907]  
AP - US40855295 19950321 [1995US-0408552]  
ACTE- 19950321 US/AS02-A  
ASSIGNMENT OF ASSIGNOR'S INTEREST  
OWNER: SIMPLE TECHNOLOGY INCORPORATED 3001 DAIMLER STREET;  
EFFECTIVE DATE: 19950320

19950321 US/AS02-A  
ASSIGNMENT OF ASSIGNOR'S INTEREST  
OWNER: MOSHAYEDI, MARK; EFFECTIVE DATE: 19950320

19980602 US/RF-A  
REISSUE APPLICATION FILED  
EFFECTIVE DATE: 19980422

20000418 US/RF-A  
REISSUE APPLICATION FILED  
EFFECTIVE DATE: 20000228

UP - 2003-22

2 / 2 PLUSPAT: ©QUESTEL-ORBIT - image  
PN - USRE36916 E 20001017 [USRE36916]  
STG - (E) Reissue  
TI - (E) Apparatus for stacking semiconductor chips  
PA - (E) SIMPLE TECH INC (US)  
PAO - Simple Technology Incorporated, Santa Ana CA [US]  
IN - (E) MOSHAYEDI MARK (US)  
IC - (E) H01L-023/02 H01L-023/04 H01L-023/34 H05K-007/00  
AP - US6434898 19980422 [1998US-0064348]  
PR - US6434898 19980422 [1998US-0064348]  
US40855295 19950321 [1995US-0408552]  
EC - H01L-025/10  
H05K-001/14E  
H05K-007/02B  
PCL - ORIGINAL (O) : 257723000; CROSS-REFERENCE (X) : 174052100  
174052400 257E25022 257685000 257686000 257698000 257724000  
361735000 361744000 361760000 361790000 439065000 439083000  
DT - Basic  
UP - 2000-44

3/18/04

US RE 36916

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